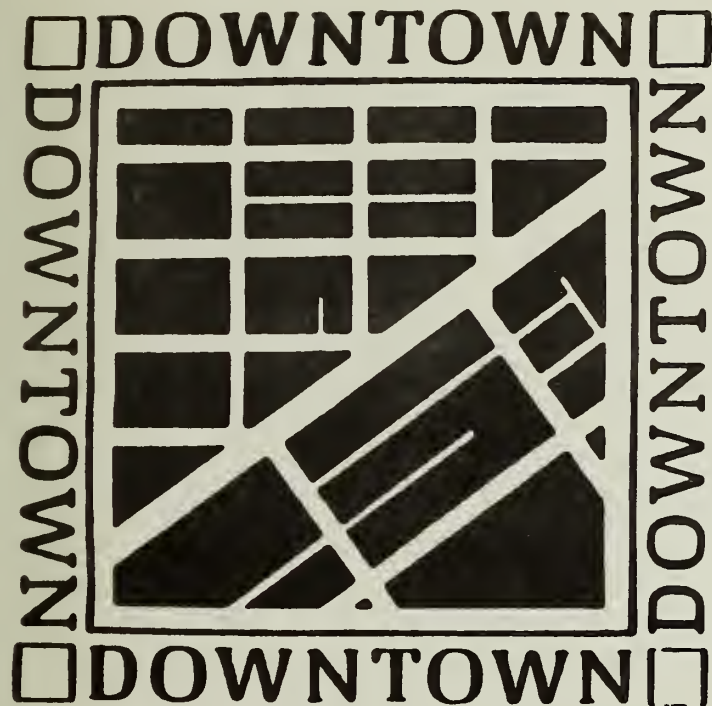


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**AMENDMENTS TO THE  
CITY PLANNING CODE  
TO IMPLEMENT THE  
DOWNTOWN PLAN**

**AS ADOPTED BY THE  
CITY PLANNING COMMISSION  
NOVEMBER 29, 1984**

**INTERIM CONTROLS**

DOCUMENTS DEPT.

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AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY AMENDING SECTIONS 102.8, 123, 134, 135, 136, 141, 143, 152, 153, 154, 155, 156, 158, 161, 184, 210.3, 212, 215, 216, 219, 223, 260, 270, 271, and 304; BY DELETING SECTION 126; BY ADDING A NEW SECTION 102.19 AND MAKING CORRESPONDING CHANGES IN SECTION NUMBERS; AND BY ADDING SECTIONS 132.1, 137, 138, 146, 147, 148, 149, 152.5, 162, 163, 175.1, 175.2, 175.3, 248, 249.1, 263.4, 263.5, 263.6, 272, 295, AND 309; TO EFFECT MAJOR CHANGES IN REGULATIONS AFFECTING C-3 DISTRICTS, INCLUDING CHANGING THE FLOOR AREA RATIO AND METHOD OF MEASURING GROSS FLOOR AREA; ELIMINATING THE SECTION 126 BONUS SYSTEM; ESTABLISHING NEW DISTRICTS; REFINING HEIGHT LIMITS; ESTABLISHING DESIGN CONTROLS; AUTHORIZING IMPOSITION OF ADDITIONAL REQUIREMENTS ON DEVELOPMENTS; MODIFYING REAR YARD REQUIREMENTS; PROHIBITING NEW PARKING LOTS IN CERTAIN AREAS; REGULATING THE CONVERSION AND DEMOLITION OF DWELLINGS; PERMITTING HIGHER DWELLING DENSITIES IN C-3-G AND C-3-S WITH A CONDITIONAL USE; CHANGING THE REGULATION OF HOTELS AND OFFICES; CHANGING THE REQUIREMENTS FOR OFF-STREET PARKING AND LOADING SPACES; REQUIRING TOUR BUS LOADING IN CERTAIN HOTELS; MODIFYING THE DEFINITION OF THE C-3-S DISTRICT; PROHIBITING THE DEMOLITION OR SUBSTANTIAL ALTERATION OF CERTAIN BUILDINGS WITHOUT A CONDITIONAL USE; ESTABLISHING PROCEDURES FOR REVIEWING THE DESIGN OF ALL NEW STRUCTURES AND SUBSTANTIAL ALTERATIONS; AND PROVIDING CERTAIN EXCEPTIONS.

Note: This document contains only those sections being added, deleted, or modified. Additions are indicated by larger size print; smaller print indicates current Code provisions. Deletions are noted by lines crossed through the deleted portion.

Be it ordained by the People of the City and County of San Francisco.

Section 1. Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by amending Sections 102.8, 123, 134, 135, 136, 141, 143, 152, 153, 154, 155, 156, 158, 161, 184, 210.3, 212, 215, 216, 219, 223, 260, 270, 271, and 304; by deleting section 126; by adding a new section 102.19 and making corresponding changes in section numbers, and by adding Sections 132.1, 137, 138, 146, 147, 148, 149, 152.5, 162, 163, 175.1, 175.2, 248, 249.1, 263.4, 263.5, 263.6, 272, 295, and 309, as shown below:

## **CITY PLANNING CODE**

- Article 1. General Zoning Provisions.**
- Article 1.2. Dimensions, Areas and Open Spaces.**
- Article 1.5. Off-Street Parking and Loading.**
- Article 1.7. Compliance.**
- Article 2. Use Districts.**
- Article 2.5. Height and Bulk Districts.**
- Article 3. Zoning Procedures.**
- Article 6. Signs.**
- Article 10. Preservation of Historical, Architectural and Aesthetic Landmarks.**

D REF 711.4097 Sa512ai

San Francisco (Calif.)

Amendments to the City  
Planning Code to  
[1984]



## ARTICLE 1

# GENERAL ZONING PROVISIONS

[Sections 101-102.7 are unchanged.]

### Sec. 102.8. Floor Area, Gross.

In districts other than C-3,

The sum of the gross areas of the several floors of a building or buildings, measured from the exterior faces of exterior walls or from the center lines of walls separating two buildings. Where columns are outside and separated from an exterior wall (curtain wall) which encloses the building space or are otherwise so arranged that the curtain wall is clearly separate from the structural members, the exterior face of the curtain wall shall be the line of measurement, and the area of the columns themselves at each floor shall also be counted.

In C-3 districts, the sum of the gross areas of the several floors of a building or buildings, measured along the glass line at windows at a height of 4 feet above the finished floor and along a projected straight line parallel to the overall building wall plane connecting the ends of individual windows; provided, however, that such line shall not be inward of the interior face of the wall.

(a) Except as specifically excluded in this definition,

Gross floor area shall include, although not be limited to, the following:

1. Basement and cellar space, including tenants' storage

areas and all other space except that used only for storage or services necessary to the operation or maintenance of the building itself;

2. Elevator shafts, stairwells, exit enclosures and smoke-proof enclosures, at each floor;

3. Floor space in penthouses except as specifically excluded in this definition;

4. Attic space (whether or not a floor has been laid) capable of being made into habitable space;

5. Floor space in balconies or mezzanines in the interior of the building;

6. Floor space in open or roofed porches, arcades or exterior balconies, if such porch, arcade or balcony is located above the ground floor or first floor of occupancy above basement or garage and is used as the primary access to the interior space it serves;

7. Floor space in accessory buildings, except for floor space used for accessory off-street parking or loading spaces as described in Section 204.5 of this Code, and parking spaces to which access may be credited as a development bonus under Section 126(b)3 of this Code if located on the same lot as the subject building, and driveways and maneuvering areas incidental thereto; and

8. Any other floor space not specifically excluded in this definition.

(b) Gross floor area shall not include the following:

1. Basement and cellar space used only for storage or services necessary to the operation or maintenance of the building itself;

2. Attic space not capable of being made into habitable space;

3. Elevator or stair penthouses, accessory water tanks, or cooling towers; and other mechanical equipment, appurtenances and areas, necessary to the operation or maintenance of the building itself, if located at the top of the building or separated therefrom only by other space not included in the gross floor area;

4. Mechanical equipment, appurtenances and areas, necessary to the operation or maintenance of the building itself, if located at an intermediate story of the building and forming a complete floor level; (i)

or (ii) if located on a number of intermediate stories occupying less than a full floor level, provided that the mechanical equipment, appurtenances and areas are permanently separated from occupied floor areas and do not, in the aggregate, exceed one floor level;

5. Space open to the general public in observation decks, restaurants and similar features when located at or above the 20th story of a building in a C-3 district;

6. Outside stairs to the first floor of occupancy at the face of the building which the stairs serve, or fire escapes;

7. Floor space used for accessory off-street parking and loading spaces as described in Section 204.5 of this Code, and parking spaces to which access may be credited as a development bonus under Section 126(b)3 of this Code if located on the same lot as the subject building, and driveways and maneuvering areas incidental thereto;

8. Arcades, plazas, walkways, porches, breezeways, porticos and similar features (whether roofed or not), at or near street level, accessible to the general public and not substantially enclosed by exterior walls; and accessways to public transit lines, if open for use by the general public; all exclusive of areas devoted to sales, service, display, and other activities other than movement of persons; and

9. Balconies, porches, roof decks, terraces, courts and similar features, except those used for primary access as described in Paragraph (a) (6) above, provided that:

(A) If more than 70 per cent of the perimeter of such an area is enclosed, either by building walls (exclusive of a railing or parapet not more than three feet eight inches high) or by such walls and interior lot lines, and the clear space is less than 15 feet in either dimension, the area shall not be excluded from gross floor area unless it is fully open to the sky (except for roof eaves, cornices or belt courses which project not more than two feet from the face of the building wall).

(B) If more than 70 per cent of the perimeter of such an area is enclosed, either by building walls (exclusive of a railing or parapet not more than three feet eight inches high), or by such walls and interior lot lines, and the clear space is 15 feet or more in both dimensions, (1) the area shall be excluded from gross floor area if it is fully open to the sky (except for roof eaves, cornices or belt courses which project no more than two feet from the face of the building wall), and (2) the area may have roofed areas along its perimeter which are also excluded from gross floor area if the minimum clear open space between any such roof and the opposite wall or roof (whichever is closer) is maintained at 15 feet (with the above exceptions) and the roofed area does not exceed 10 feet in depth; (3) in addition, when the clear open area exceeds 625 square feet, a

canopy, gazebo, or similar roofed structure without walls may cover up to 10 per cent of such open space without being counted as gross floor area.

(C) If, however, 70 per cent or less of the perimeter of such an area is enclosed by building walls (exclusive of a railing or parapet not more than three feet eight inches high) or by such walls and interior lot lines, and the open side or sides face on a yard, street or court whose dimensions satisfy the requirements of this Code and all other applicable codes for instances in which required windows face upon such yard, street or court, the area may be roofed to the extent permitted by such codes in instances in which required windows are involved.

10. On lower, non-residential floors, elevator shafts and other life support systems serving exclusively the residential uses on the upper floors of a building.
11. One-third of that portion of a window bay conforming to the requirements of Section 136(d)2 which extends beyond the plane formed by the face of the facade on either side of the bay but not to exceed 7 square feet per bay window as measured at each floor.
12. Ground floor area in the C-3-0, C-3-0 (SD), C-3-S, and C-3-G districts devoted to building or pedestrian circulation and building service.
13. In the C-3-0, C-3-0 (SD), C-3-S, and C-3-G districts, space devoted to personal services, restaurants, and retail sales of goods intended to meet the convenience shopping and service needs of downtown workers and residents, not to exceed 5,000 occupied square feet per use and, in total, not to exceed 75% of the area of the ground floor of the building plus the ground level, on-site open space. Said uses shall be located on the ground floor, except that, in order to facilitate the creation of more spacious ground floor interior spaces, a portion of the said uses, in an amount to be determined



pursuant to the provisions of Section 309, may be located on a mezzanine level.

14. Space qualifying as an open space feature in compliance with the requirements of Section 138.

15. Floor area in C-3 districts devoted to child care facilities provided that:

(A) allowable indoor space does not exceed 6,000 square feet; and

(B) the facilities are made available rent free; and

(C) adequate outdoor space is provided adjacent, or easily accessible, to the facility. Spaces such as atriums, rooftops or public parks may be used if they meet licensing requirements for child care facilities; and

(D) the space is used for child care for the life of the building as long as there is a demonstrated need. No change in use shall occur without a finding by the City Planning Commission that there is a lack of need for child care and that the space will be used for a facility described in subsection 16 below.

16. Floor area in C-3 districts permanently devoted to cultural, educational, recreational, religious or social service facilities available to the general public at no cost or at a fee covering actual operating expenses, provided that, such facilities are:

(A) owned and operated by a nonprofit corporation or institution, or

(B) are made available rent free for occupancy

only by nonprofit corporations or institutions for such functions.

17. Floor space used for short-term parking, and aisles incidental thereto, which is the replacement required pursuant to the provisions of Section 309 of short-term parking spaces which are being displaced by the building or buildings.

[Sections 102.9 - 102.18 are unchanged]

SEC. 102.19 PRINCIPAL FACADES. Exterior walls of a building which are adjacent to or front on a public street, park, or plaza.

20

Sec. 102.19. Story. That portion of a building, except a mezzanine as defined in the Building Code, included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the surface of the floor and the ceiling next above it.

(Amended Ord. 443-78, Approved 10/6/78)

21

Sec. 102.20. Story, Ground. The lowest story of a building, other than a basement or cellar as defined in the Building Code.

(Amended Ord. 443-78, Approved 10/6/78)

22

Sec. 102.21. Street. A right-of-way, 30 feet or more in width, permanently dedicated to common and general use by the public, including any avenue, drive, boulevard, or similar way, but not including any freeway or highway without a general right of access for abutting properties.

(Amended Ord. 443-78, Approved 10/6/78)

23

Sec. 102.22. Structure. Anything constructed or erected which requires fixed location on the ground or attachment to something, having fixed location on the ground.

(Amended Ord. 443-78, Approved 10/6/78)

24

Sec. 102.23. Structural Alterations. Any change in the supporting members of a building, such as bearing walls, columns, beams or girders.

(Amended Ord. 443-78, Approved 10/6/78)

25-

Sec. 102.24. Use. The purpose for which land or a structure, or both, are designed, constructed, arranged, or intended, or for which they are occupied or maintained, let or leased.

[Sections 105-109 are unchanged]

## ARTICLE 1.2

# DIMENSIONS, AREAS AND OPEN SPACES

[Sections 121-122 are unchanged]

**SEC. 123. MAXIMUM FLOOR AREA RATIO.** (a) The limits upon the floor area ratio of buildings, as defined by this Code, shall be as stated in this section and Sections 124 through 127. The maximum floor area ratio for any building or development shall be equal to the sum of the basic floor area ratio for the district, as set forth in Section 124, plus any premiums, development bonuses and floor area transfers which are applicable in such building or development under Sections 125, 126, and 127.

(b) No building or structure or part thereof shall be permitted to exceed, except as stated in Sections 172 and 188 of this Code, the floor area ratio limits herein set forth for the district in which it is located.

**SEC. 124. BASIC FLOOR AREA RATIO.** (a) Except as provided in Subsections (b), (c), (d) and (e) of this section, the basic floor area ratio limits specified in the following table shall apply to each building or development in the districts indicated.

**TABLE 1**  
**Basic Floor Area Ratio Limits**

District	Basic Floor Area Ratio Limit
RM 1(D), RM 1, RM 1(S), RM 2, RM 3, RM 4, RM 2	1.0 to 1
RM 3	3.6 to 1
RM 4	4.8 to 1
RC 1, RC 2	1.0 to 1
RC 3	3.6 to 1
RC 4	4.8 to 1
C-1, C-2	3.6 to 1
C-3-0	14.0 to 1
C-3-R	10.0 to 1
C-3-G	10.0 to 1
C-3-S	10.0 to 1
C-3-0 (SD)	10.0 to 1
C-3-R	6.0 to 1
C-3-G	6.0 to 1
C-3-S	5.0 to 1
C-3-0 (SD)	6.0 to 1
C-M	9.0 to 1
M 1, M 2	5.0 to 1

(b) In R districts, the above floor area ratio limits shall not apply to dwellings.

(c) In a C-2 district the basic floor area ratio limit shall be 4.8 to 1 for a lot which is nearer to an RM-4 or RC-4 district than to any other R district, and 10.0 to 1 for a lot which is nearer to a C-3 district than to any R district. The distance to the nearest R district or C-3 district shall be measured from the midpoint of the front line, or from a point directly across the street therefrom, whichever gives the greater ratio.

(d) In the Automotive Special Use District, as described in Section 237 of this Code, the basic floor area ratio limit shall be 10.0 to 1.

(e) In the Northern Waterfront Special Use Districts, as described in Sections 240 through 240.3 of this Code, the basic floor area ratio limit in any C district shall be 5.0 to 1.

(f) In C-3-G and C-3-S districts, additional square footage above that permitted by the base floor area ratio limits set forth above may be approved for dwellings by the City



Planning Commission, in accordance with the conditional use procedures and criteria as provided in Section 303 of this Code.

- (g) In the mid-South of Market Special Use District, as described in Section 249.1 of this Code, the basic floor area ratio limit for office uses shall be 2.0 to 1.

In calculating the permitted floor area of a new structure in a C-3 district, the lot on which an existing structure is located may not be included unless the existing structure and the new structure are made part of a single development complex, the existing structure is or is made architecturally compatible with the new structure, and the existing structure is seismically reinforced to meet the standards of Section 124(f) of the Building Code. Determinations under this paragraph shall be made in accordance with the provisions of Section 309.

**SEC. 126. DEVELOPMENT BONUSES, C-3 DISTRICTS.** (a) In any C-3 district, the development bonuses specified in the following table, where applicable, may be added to the basic floor area ratio limit to determine the maximum floor area ratio for a building or development. Each building feature, and the unit of feature upon which the bonus is based, are more fully described in and limited by Subsection (b) below. Each separate bonus shall be credited where it applies; except that features 1 and 2 shall be mutually exclusive, and features 8 and 9 shall also be mutually exclusive. The basic allowable gross floor area in each case shall be as specified in Section 124 of this Code, and shall not include any development bonus specified herein or any transferred floor area as specified in Section 127 below.

The primary purposes of these development bonuses are: provision of good access to buildings, and improvement of access to properties, from the various forms of transportation serving the downtown area; improvement of pedestrian movement into and out of buildings, along streets and between streets; provision of pedestrian amenity by means of ground level open space; arrangement of buildings to provide light and air to streets and to other properties; and protection and enhancement of views.

**TABLE 2**  
**Quantity of Bonus Floor Area**  
**For Each Building Feature Provided**

Building Feature	Unit of Feature Upon Which Bonus is Based	Square Foot of Bonus Floor Area Per Unit of Feature				Maximum For This Bonus (Per Cent of Basic Allowable Gross Floor Area)
		C-3-D	C-3-R	C-3-G	C-3-S	
1. Rapid Transit Access	Larger of these two bonuses applies	20% of basic allowable gross floor area (1/3 less if station is for city transit only)				20
2. Rapid Transit Proximity	Each linear foot by which walking distance to station mezzanine is less than 750 feet	50	40	40	40	10
3. Parking Access	Each automobile parking space to which direct access is provided	100	100	100	100	5
4. Multiple Building Entrances	Each major entrance to the building after the first such entrance	10,000	10,000	7,000	5,000	5 (or one entrance, whichever is greater)
5. Sidewalk Widening	Each creditable square foot of sidewalk widening area	7	7	6	4	5

6. Shortening Walking Distance	Each linear foot by which walking distance between streets or alleys is shortened	40	40	40	30	10
7. Plaza	Each creditable square foot of plaza area	10	8	8	6	15
8. Side Setback	Each creditable square foot of side setback area	6	6	6	3	15
9. Low Coverage of Upper Floors	Reduction of both building dimensions by 20% or more of the lot dimensions	5% of basic allowable gross floor area for the first 20% reduction of building dimensions; 1% for each 3% reduction thereafter				15
10. Observation Deck	Provision of observation deck or similar high-level public space	10,000	10,000	10,000	10,000	Not Applicable

(b) The following criteria shall apply to the building features listed in the table in Subsection (a) above, and to the unit of feature therein upon which each bonus is based.

1. **Rapid Transit Access.** The access shall be to a city or regional rapid transit system, leading directly to a station mezzanine of such system and conforming to the standards of the transit system, the Building Code and other applicable codes. The access shall be entered from a location within the lot lines of the subject lot, either within or outside a building, and shall be open during all business hours common in the area for use by the general public, marked for their use, and easily reached from a street or alley with a minimum sidewalk width of seven feet.

2. **Rapid Transit Proximity.** This bonus shall be available for any lot within 750 feet walking distance from a designated station mezzanine of a city or regional rapid transit system, and shall increase in proportion to the closeness of the lot to such mezzanine. The walking distance shall be measured along streets and alleys with a minimum sidewalk width of five feet, or along passageways conforming to the standards of features 1 above and 6 below. For this purpose, walking distance shall be taken as the shortest distance from any point along the station mezzanine, to any point along a lot line of the subject property from which there is general access to the subject building.

3. **Parking Access.** The access shall be from the subject building directly to an automobile parking structure located elsewhere than in the areas of concentrated development of the C-3-O and C-3-R districts. Such parking structure may be either part of or separate from the subject building, but if the parking structure is separate it shall be either in the same ownership as

the subject building or part of a Planned Unit Development approved under Article 3 of this Code to include both the parking structure and the subject building. The access shall be open during all business hours for use by occupants of or visitors to the subject building and marked for their use, and shall provide a passage with a minimum width of five feet, separated from streets and alleys. A passageway that is proposed to bridge a street or alley or to occupy any other public area shall be reviewed by the City Planning Commission subject to the criteria for Master Plan review under the City Charter and any other criteria that may be applicable. No parking space to which access is credited under this provision shall consist of a space actually required by this Code for any building or use.

4. **Multiple Building Entrances.** This bonus shall be available where there is more than one major entrance to the subject building, open generally to occupants of the building for both entrance and exit and readily identifiable to them. All such major entrances shall be accessible from streets or alleys with a minimum sidewalk width of five feet, and shall be located at least 50 feet apart along such streets or alleys. Where a building face at ground level is located more than 20 feet inside the lot line along such a street or alley and contains at least one major doorway, each point at 50-foot intervals along such lot line shall be considered a separate major entrance to the building.

5. **Sidewalk Widening.** The sidewalk widening shall be along a through street or through alley, shall consist of an arcade, cantilever, building setback or plaza, open at all times to the general public, and shall run the full length of the lot along such street or alley except for necessary interruptions by features required for safety by other provisions of law, ordinance or the Municipal Code. The widened area shall be directly accessible from the public sidewalk at both ends and along at least two-thirds of its length, and if not fully open to such sidewalk shall have a minimum clear width of seven feet. The widened area shall have a minimum height of 10 feet, and although it may be occupied in part by columns, building services, landscaping and other features, only areas capable of being walked upon shall be credited in computation of the bonus. The maximum creditable depth of the widened area from the lot line at the street or alley shall be 15 feet in the C-3-R district and 30 feet in the other C-3 districts, or 50 feet from the curb, whichever is less.

Notwithstanding the requirements of this provision concerning accessibility, continuity or horizontal dimensions, landscaped open area located as herein provided at ground level, consistent with the purposes of the bonus system and readily visible from a street or alley or permanent public open space, may be credited as sidewalk widening area within the scope of the 15 per cent maximum permitted for the sidewalk widening bonus in Table 2; provided, that the bonus awarded shall be three square feet of floor area for each creditable square foot of such open area.



6. Shortening Walking Distance. The shortening of walking distance shall be computed by comparing walking distances along streets and alleys having a minimum sidewalk width of five feet, with distances along walkways through the subject lot that are open during all business hours common in the area for use by the general public. Such a walkway may be either within or outside a building, shall be readily identifiable from the public sidewalk, and shall have a minimum width of 10 feet plus two feet for each side which has shops, lobbies, elevator entrances or similar features along it. Where a walkway passes through two or more lots, the bonus shall be prorated in proportion to the length of walkway on each lot.

7. Plaza. The plaza shall be directly and conveniently accessible to the general public during all business hours common in the area, from either a street or alley with a minimum sidewalk width of five feet, a feature conforming to the standards of 5 or 6 above, or a permanent public open space. The creditable plaza area shall be located at least 20 feet inside the lot lines separating the lot from streets and alleys, shall have a minimum entrance width of 10 feet, and shall be at least 30 feet in its horizontal dimensions. For the purpose of measuring such minimum horizontal dimensions, space occupied by a feature conforming to the standards of 5 above may be counted for up to one-third of any dimension; however, no area credited under 5 above shall also be credited as plaza area. Up to two-thirds of the surface of the creditable plaza area may be occupied by planting, sculpture, pools and similar features, and the balance shall be suitable for walking, sitting and similar pursuits. Any building servicing requiring the presence of vehicles or goods in the plaza area shall be confined to times other than the business hours common in the area. Encroachments permitted by Section 136 of this Code for usable open space shall be permitted for the creditable plaza area.

Notwithstanding the requirements of this provision concerning accessibility or horizontal dimensions, landscaped open area located as herein provided at ground level, consistent with the purposes of the bonus system and readily visible from a street or alley or permanent public open space, may be credited as plaza area within the scope of the 15 per cent maximum permitted for the plaza bonus in Table 2; provided, that the bonus awarded shall be three square feet of floor area for each creditable square foot of such open area.

8. Side Setback. The side building setback shall extend upward from a height of not more than 40 feet measured at the front of the setback, and shall also extend for the entire depth of the lot. The side setback shall be located either along a lot line which intersects a street or alley and does not itself separate the lot from a street or alley, or in an equivalent position between two buildings or building portions on the same lot exceeding 40 feet in height. The setback area shall be unobstructed to the sky and shall have a minimum width of 20 feet. Setback areas of irregular width may be credited, provided the minimum width of 20 feet is maintained and no part of the setback area to be credited is separated by a building from the street or alley which the setback intersects. The maximum creditable width of

the setback area shall be 50 feet.

9. Low Coverage At Upper Floors. Each open area credited under this bonus shall extend upward unobstructed from a height of not more than 80 feet measured at the front of such open area, and shall also extend for the entire width or depth of the lot. The bonus shall be based upon reduction of both the over-all width and the over-all depth of the building by a minimum of 20 per cent of the respective lot dimensions, with additional bonus awarded as both such dimensions of the building are further reduced. Where the building is not located parallel to any of the lot lines, the over-all dimensions of the building shall be measured as appropriate to the specific siting of the building in relation to the lot and to streets and alleys.

10. Observation Deck. The observation deck or similar public space shall be located at or above the 20th story of the building and shall be of sufficient size to accommodate at least 50 persons at one time. Such space shall be advertised at ground level, and shall be open during the day and evening to the general public without the necessity of their doing business in the building other than paying an admission fee for the sole purpose of gaining access to the observation area.

(c) In application of the bonuses provided for in this section, the Zoning Administrator shall follow such procedures, including placing of restrictions on the land records and other actions, as the Zoning Administrator may deem appropriate to assure the provision and retention of such building features as are credited in order to meet the requirements of this Code.

(d) In the C-3-O district, notwithstanding the development bonuses afforded by Subsections (a), (b) and (c) of this section, and in lieu of any and all such development bonuses, for a lot or portion thereof which is defined by this Code as a corner lot, a floor area premium may be added by increasing the area of the lot or portion, for purposes of determining the maximum floor area ratio for the building or development on such lot, by 20 per cent.



Section 127 is unchanged.

[Sections 130-131 are unchanged.]

SEC. 132.1 SETBACKS; C-3 DISTRICTS

(a) Upper-Level Setbacks. Setbacks of the upper parts of a building abutting a public sidewalk in any C-3 district may be required, in accordance with the provisions of Section 309, as deemed necessary:

1. to preserve the openness of the street to the sky and to avoid the perception of overwhelming mass that would be created by a number of tall buildings built close together, with unrelieved vertical rise; or
2. to maintain the continuity of a predominant street wall along the street, provided however, that the setback required pursuant to this paragraph may not exceed the following dimensions:

DEPTH OF SETBACK  
(in feet)

Height of Street Wall in Feet	64'- 67'	68'- 71'	72'- 75'	76'- 80'
68 or less	18	20	22	24
69 - 81	14	16	18	20
82 - 94	10	12	14	16
95 -107	8	10	12	14
108-120	6	8	10	12

(b) Market Street Setback. In order to preserve the predominant street wall, structures fronting on the southeast side of Market Street between the southerly extension of the easterly line of the Powell Street right of way and Tenth Street shall be set back 25 feet from the front property line at 90 feet.

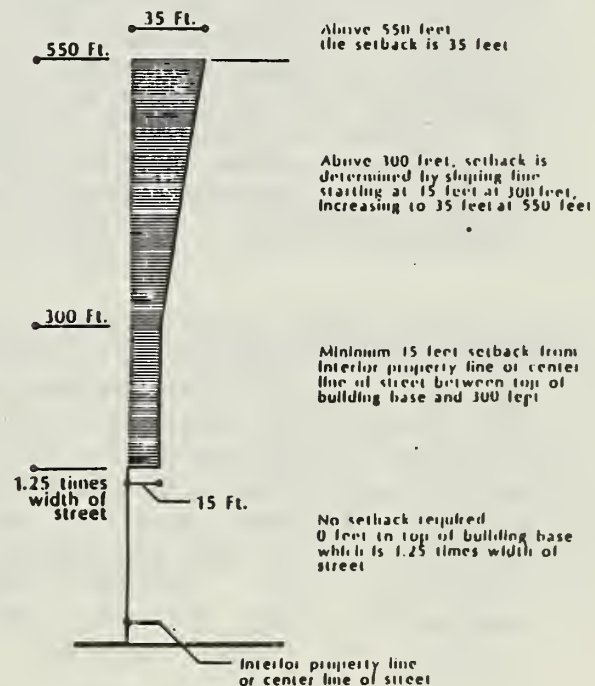
(c) Separation of Towers.

1. Requirement. In order to provide light and air between structures, all structures in the S bulk district shall be set back from an interior property line which does not abut a public sidewalk and from the property line abutting the right of way of a public street or alley. The setback shall be a minimum of 15 horizontal feet measured from the interior property line or the center of a public right-of-way, as the case may be,

beginning at a height which is 1.25 times the width of the principal street on which the building faces, and increasing to the widths indicated in Chart A as the building increases in height.

**CHART A**

SEPARATION BETWEEN TOWERS



2. Permitted Encroachments. Encroachments of building volume on the setback required by subsection (c)1 that are above 300 feet may be approved, in accordance with the provisions of Section 309, provided that (1) there are compensating recesses beyond the required setback below and within approximately 100 vertical feet of the encroachment, which recesses are at least equal in volume to the volume of the encroachment, and (2) it is found that, overall, access to light and air will not be impaired.
3. Exceptions. Exceptions to the requirements of paragraph (c)1 above may be allowed, in accordance with the provisions of Section 309, to the extent that it is determined that restrictions on adjacent properties make it unlikely that development will occur at a height where setbacks are required, thereby making full setbacks unnecessary to assure adequate building separation. Exceptions may be allowed up to the height of an adjacent structure which is built to the property line without setbacks but not to exceed 165 feet.
- (d) Permitted Obstructions. Obstructions above the horizontal plane or planes of the setback required pursuant to subsections (a), (b) and (c) which will create limited blockage of light and air and which will not be inconsistent with the purpose of the setback may be permitted within the set-back area, in accordance with the provisions of Section 309. Such obstructions may include, but are not limited to, open railings, decorative

spires and finials, flag poles and flags, sparse landscaping, unroofed recreation facilities with open fencing, and unenclosed seating areas.

[Section 133 is unchanged]

**SEC. 134. REAR YARDS, R, C AND M DISTRICTS.** The following requirements for rear yards shall apply to every building in an R district and to every dwelling in a C or M district. These requirements are intended to assure the protection and continuation of established mid-block, landscaped open spaces, and maintenance of a scale of development appropriate to each district, consistent with the location of adjacent buildings.

(a) Basic requirements. The basic rear yard requirements shall be as follows for the districts indicated. Such rear yards shall be provided at grade level and at each succeeding level or story of the building; except that in RC-2, RC-3, RC-4, C and M districts such rear yards shall be provided at the lowest story occupied as a dwelling at the rear of the building, and at each succeeding story of the building.

1 RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC-1, RC-2, RC-3, RC-4, C and M districts. The minimum rear yard depth shall be equal to 25 per cent of the total depth of the lot on which the building is situated, but in no case less than 15 feet.

2. RH-2, RH-3, RM-1 and RM-2 districts. The minimum rear yard depth shall be equal to 45 per cent of the total depth of the lot on which the building is situated, except to the extent that a reduction in this requirement is permitted by Subsection (c) below.

(b) Permitted obstructions. Only those obstructions specified in Section 136 of this Code shall be permitted in a required rear yard, and no other obstruction shall be constructed, placed or maintained within any such yard. No motor vehicle, trailer, boat or other vehicle shall be parked or stored within any such yard, except as specified in Section 136.

(c) Reduction of requirements in RH-2, RH-3, RM-1 and RM-2 districts. The rear yard requirement in RH-2, RH-3, RM-1 and RM-2 districts, as stated in Paragraph (a)2 above, shall be reduced in specific situations as described in this Subsection (c), based upon conditions on adjacent lots. Under no circumstances, however, shall the minimum rear yard be thus reduced to less than a depth equal to 25 per cent of the total depth of the lot on which the building is situated, or to less than 15 feet, whichever is greater.



1. **General rule.** In such districts, the forward edge of the required rear yard shall be reduced to a line on the subject lot, parallel to the rear lot line of such lot, which is an average between the depths of the rear building walls of the two adjacent buildings. Provided, that in any case in which a rear yard requirement is thus reduced, the last 10 feet of building depth thus permitted on the subject lot shall be limited to a height of 30 feet, measured as prescribed by Section 260 of this Code, or to such lesser height as may be established by Section 261 of this Code.

2. **Alternative method of averaging.** If, under the rule stated in Paragraph (c)1 above, a reduction in the required rear yard is permitted, the reduction may alternatively be averaged in an irregular manner; provided that the area of the resulting reduction shall be no more than the product of the width of the subject lot along the line established by Paragraph (c)1 above times the reduction in depth of rear yard permitted by Paragraph (c)1; and provided further that all portions of the open area on the part of the lot to which the rear yard reduction applies shall be directly exposed laterally to the open area behind the adjacent building having the lesser depth of its rear building wall.

3. **Method of measurement.** For purposes of this Subsection (c), an adjacent building shall mean a building on a lot adjoining the subject lot along a side lot line. In all cases the location of the rear building wall of an adjacent building shall be taken as the line of greatest depth of any portion of the adjacent building which occupies at least  $\frac{1}{2}$  the width between the side lot lines of the lot on which such adjacent building is located, and which has a height of at least 20 feet above grade, or two stories, whichever is less; excluding all permitted obstructions listed for rear yards in Section 136 of this Code. Where a lot adjoining the subject lot is vacant, or contains no dwelling or group housing structure, or is located in an RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC, C, M or P district, such adjoining lot shall, for purposes of the calculations in this Subsection (c), be considered to have an adjacent building upon it whose rear building wall is at a depth equal to 75 per cent of the total depth of the subject lot.

4. **Applicability to special lot situations.** In the following special lot situations, the general rule stated in Paragraph (c)1 above shall be applied as provided in this Paragraph (c)4, and the required rear yard shall be reduced if conditions on the adjacent lot or lots so indicate and if all other requirements of this Section 134 are met.

(A) **Corner lots and lots at alley intersections.** On a corner lot as defined by this Code, or a lot at the intersection

of a street and an alley or two alleys, the forward edge of the required rear yard shall be reduced to a line on the subject lot which is at the depth of the rear building wall of the one adjacent building.

(B) **Lots abutting properties with buildings that front on another street or alley.** In the case of any lot that abuts along one of its side lot lines upon a lot with a building that fronts on another street or alley, the lot on which it so abuts shall be disregarded, and the forward edge of the required rear yard shall be reduced to a line on the subject lot which is at the depth of the rear building wall of the one adjacent building fronting on the same street or alley. In the case of any lot that abuts along both its side lot lines upon lots with buildings that front on another street or alley, both lots on which it so abuts shall be disregarded, and the minimum rear yard depth for the subject lot shall be equal to 25 per cent of the total depth of the subject lot, or 15 feet, whichever is greater.

(C) **Through lots abutting properties that contain two buildings.** Where a lot is a through lot having both its front and its rear lot line along streets, alleys, or a street and an alley, and both adjoining lots are also through lots, each containing two dwellings or group housing structures that front at opposite ends of the lot, the subject through lot may also have two buildings according to such established pattern, each fronting at one end of the lot, provided all the other requirements of this Code are met. In such cases the rear yard required by this Section 134 for the subject lot shall be located in the central portion of the lot, between the two buildings on such lot, and the depth of the rear wall of each building from the street or alley on which it fronts shall be established by the average of the depths of the rear building walls of the adjacent buildings fronting on that street or alley. In no case, however, shall the total minimum rear yard for the subject lot be thus reduced to less than a depth equal to 25 per cent of the total depth of the subject lot, or to less than 15 feet, whichever is greater. Furthermore, in all cases in which this Subparagraph (c)4(C) is applied, the requirements of Section 132 of this Code for front set-back areas shall be applicable along both street or alley frontages of the subject through lot.

(d) **Reduction of requirements in C-3 districts.** In C-3 districts, an exception to the rear yard requirements of this section may be allowed, in accordance with the provisions of Section 309, provided that the building location and configuration assure adequate light and air to windows within the residential units and to the usable open space provided.



**SEC. 135. USABLE OPEN SPACE, R, C AND M DISTRICTS.**  
 Except as provided in Sections 172 and 188 of this Code, usable open space shall be provided for each dwelling and each group housing structure in R, C and M districts according to the standards set forth in this section.

(a) Character of space provided. Usable open space shall be composed of an outdoor area or areas designed for outdoor living, recreation or landscaping, including such areas on the ground and on decks, balconies, porches and roofs, which are safe and suitably surfaced and screened, and which conform to the other requirements of this section. Such area or areas shall be on the same lot as the dwelling units (or bedrooms in group housing) they serve, and shall be designed and oriented in a manner that will make the best practical use of available sun and other climatic advantages. "Private usable open space" shall mean an area or areas private to and designed for use by only one dwelling unit (or bedroom in group housing). "Common usable open space" shall mean an area or areas designed for use jointly by two or more dwelling units (or bedrooms in group housing).

(b) Access. Usable open space shall be as close as is practical to the dwelling unit (or bedroom in group housing) for which it is required, and shall be accessible from such dwelling unit or bedroom as follows:

1. Private usable open space shall be directly and immediately accessible from such dwelling unit or bedroom; and shall be either on the same floor level as such dwelling unit or bedroom, or no more than one story above or below such floor level with convenient private access.

2. Common usable open space shall be easily and independently accessible from such dwelling unit or bedroom, or from another common area of the building or lot.

(c) Permitted obstructions. In the calculation of either private or common usable open space, those obstructions listed in Section 136 of this Code for usable open space shall be permitted.

(d) Amount required. Usable open space shall be provided for each building in the amounts specified herein and in the following table for the district in which the building is located.

1. For dwellings, except as provided in Paragraph (d)3 below, the minimum amount of usable open space to be provided for use by each dwelling unit shall be as specified in the second column of the table if such usable open space is all private. Where common usable open space is used to satisfy all or part of the requirement for a dwelling unit, such common usable open space shall be provided in an amount equal to 1.33 square feet for each one square foot of private usable open space specified in the second column of the table. In such cases, the balance of the required usable open space may be provided as private usable open space, with full credit for each square foot of private usable open space so provided.

2. For group housing structures, the minimum amount of usable open space provided for use by each bedroom shall be 1/3 the amount required for a dwelling unit as specified in Paragraph (d)1 above. For purposes of these calculations, the number of bedrooms on a lot shall in no case be considered to be less than one bedroom for each two beds. Where the actual number of beds exceeds an average of two beds for each bedroom, each two beds shall be considered equivalent to one bedroom.

3. For dwellings specifically designed for and occupied by senior citizens or physically handicapped persons, as defined and regulated by Section 209.1(m) of this Code, the minimum amount of usable open space to be provided for use by each dwelling unit shall be 1/2 the amount required for each dwelling unit as specified in Paragraph (d)1 above.

**TABLE 3**  
**Minimum Usable Open Space**

District	Square Feet of Usable Open Space Required for Each Dwelling Unit, If All Private	Ratio of Common Usable Open Space that May be Substituted for Private
RH-1(D), RH-1	300	1.33
RH-1(S)	300 for first unit; 100 for minor second unit	1.33
RH-2	125	1.33
RH-3	100	1.33
RM-1, RC-1	100	1.33
RM-2, RC-2	80	1.33
RM-3, RC-3	60	1.33
RM-4, RC-4, C-3,	36	1.33
C-M, M-1, M-2		
C-1, C-2	Some as for the R district establishing the dwelling unit density ratio for the C-1 or C-2 district property	

(e) Slope. The slope of any area credited as either private or common usable open space shall not exceed five per cent.

(f) Private usable open space: additional standards.

1. Minimum dimensions and minimum area. Any space credited as private usable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 square feet if located on a deck, balcony, porch or roof, and shall have a minimum horizontal dimension of 10 feet and a minimum area of 100 square feet if located on open ground, a terrace or the surface of an inner or outer court.

2. Exposure. In order to be credited as private usable open space, an area must be kept open in the following manner:

(A) For decks, balconies, porches and roofs, at least 30 per cent of the perimeter must be unobstructed except for necessary railings.

(B) In addition, the area credited on a deck, balcony,



porch or roof must either face a street, face or be within a rear yard, or face or be within some other space which at the level of the private usable open space meets the minimum dimension and area requirements for common usable open space as specified in Paragraph 13S(g)1 below.

(C) Areas within inner and outer courts, as defined by this Code, must either conform to the standards of Subparagraph (f)2(B) above or be so arranged that the height of the walls and projections above the court on at least three sides (or 75 per cent of the perimeter, whichever is greater) is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court, regardless of the permitted obstruction referred to in Subsection 13S(c) above.

3. Fire escapes as usable open space. Normal fire escape grating shall not be considered suitable surfacing for usable open space. The steps of a fire escape stairway or ladder, and any space less than six feet deep between such steps and a wall of the building, shall not be credited as usable open space. But the mere potential use of a balcony area for an emergency fire exit by occupants of other dwelling units (or bedrooms in group housing) shall not prevent it from being credited as usable open space on grounds of lack of privacy or usability.

In C-3 districts, the area of a totally or partially enclosed solarium shall be credited as private usable open space if (i) such area is open to the outdoors through openings or clear glazing on not less than 50 percent of its perimeter and (ii) not less than 30 percent of its overhead area and 25 percent of its perimeter are open or can be opened to the air.

**(g) Common usable open space: additional standards.**

1. Minimum dimensions and minimum area. Any space credited as common usable open space shall be at least 15 feet in every horizontal dimension and shall have a minimum area of 300 square feet.

2. Use of inner courts. The area of an inner court, as defined by this Code, may be credited as common usable open space, if the enclosed space is not less than 20 feet in every horizontal dimension and 400 square feet in area; and if (regardless of the permitted obstructions referred to in Subsection 13S(c) above) the height of the walls and projections above the court on at least three sides (or 75 per cent of the perimeter, whichever is greater) is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court.

3. Use of solariums. The area of a totally or partially enclosed solarium may be credited as common usable open space,

if the space is not less than 15 feet in every horizontal dimension and 300 square feet in area; and if such area is exposed to the sun through openings or clear glazing on not less than 30 per cent of its perimeter and 30 per cent of its overhead area.

**SEC. 136. OBSTRUCTIONS OVER STREETS AND ALLEYS AND IN REQUIRED SET-BACKS, YARDS AND USABLE OPEN SPACE.**

(a) The following obstructions shall be permitted, in the manner specified, as indicated by the symbol "X" in the columns at the left, within the required open areas listed herein:

1. Projections from a building or structure extending over a street or alley as defined by this Code. Every portion of such projections over a street or alley shall provide a minimum of 7½ feet of vertical clearance from the sidewalk or other surface above which it is situated, or such greater vertical clearance as may be required by the San Francisco Building Code, unless the contrary is stated below. The permit under which any such projection over a street or alley is erected over public property shall not be construed to create any perpetual right but is a revocable license.

2. Obstructions within legislated set-back lines and front set-back areas, as required by Sections 131 and 132 of this Code.

3. Obstructions within side yards and rear yards, as required by Sections 133 and 134 of this Code.

4. Obstructions within usable open space, as required by Section 135 of this Code.

(b) No obstruction shall be constructed, placed or maintained in any such required open area except as specified in this section.

(c) The permitted obstructions shall be as follows:

Streets and Alleys	Set-backs	Yards	Usable Open Space
X	X	X	X

1. Overhead horizontal projections (leaving at least 7½ feet of headroom) of a purely architectural or decorative character such as cornices, eaves, sills and belt courses, with a vertical dimension of no more than two feet six inches, not increasing the



Streets and Alleys	Set-backs	Yards	Usable Open Space
X	X	X	X

floor area or the volume of space enclosed by the building, and not projecting more than:

(A) At roof level, three feet over streets and alleys and into set-backs, or to a perimeter in such required open areas parallel to and one foot outside the surfaces of bay windows immediately below such features, whichever is the greater projection;

(B) At every other level, one foot over streets and alleys and into set-backs, and

(C) Three feet into yards and usable open space, or 1/6 of the required minimum dimensions (when specified) of such open areas, whichever is less.

2. Bay (projecting) windows, balconies (other than balconies used for primary access to two or more dwelling units or two or more bedrooms in group housing), and similar features that increase either the floor area of the building or the volume of space enclosed by the building above grade, when limited as specified herein. With respect to obstructions within yards and usable open space, the bay windows and balconies specified in Paragraph (c)3 below shall be permitted as an alternative to those specified in this Paragraph (c)2.

(A) The minimum headroom shall be 7½ feet.

(B) Projection into the required open area shall be limited to three feet; provided that projection over streets and alleys shall be further limited to two feet where the sidewalk width is nine feet or less, and the projection shall in no case be closer than eight feet to the center line of any alley.

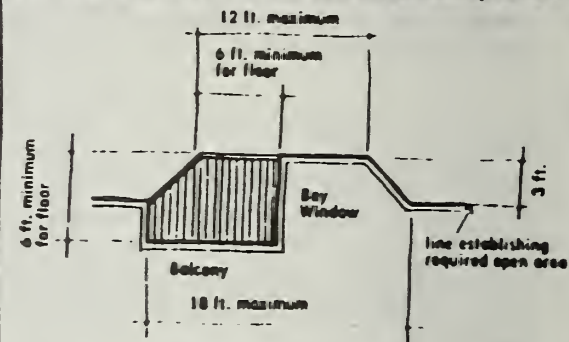
(C) The glass areas of each bay window, and the open portions of each balcony, shall be not less than 50 per cent of the sum of the areas of the vertical surfaces of such bay window or balcony above the required open area. At least 1/3 of such required glass area of such bay window, and open portions of such balcony, shall be on one or more vertical surfaces situated at an angle of not less than 30 degrees to the line establishing the required open area. In addition, at least 1/3 of such required glass area or open portions shall be on the vertical surface parallel to, or most nearly parallel to, the line establishing each open area over which the bay window or balcony projects.

(D) The maximum length of each bay window

Streets and Alleys	Set-backs	Yards	Usable Open Space

or balcony shall be 15 feet at the line establishing the required open area, and shall be reduced in proportion to the distance from such line by means of 45 degree angles drawn inward from the ends of such 15-foot dimension, reaching a maximum of nine feet along a line parallel to and at a distance of three feet from the line establishing the required open area.

(E) Where a bay window and a balcony are located immediately adjacent to one another, and the floor of such balcony in its entirety has a minimum horizontal dimension of six feet, the limitations of Subparagraph (c)2(D) above shall be increased to a maximum length of 18 feet at the line establishing the required open area, and a maximum of 12 feet along a line parallel to and at a distance of three feet from the line establishing the required open area.



(F) The minimum horizontal separation between bay windows, between balconies, and between bay windows and balconies (except where a bay window and a balcony are located immediately adjacent to one another, as provided for in Subparagraph (c)2(E) above), shall be two feet at the line establishing the required open area, and shall be increased in proportion to the distance from such line by means of 135 degree angles drawn outward from the ends of such two-foot dimension, reaching a minimum of eight feet along a line parallel to and at a distance of three feet from the line establishing the required open area.

(G) Each bay window or balcony over a street or alley, set-back or rear yard shall also be horizontally separated from interior lot lines (except where the wall of a building on the adjoining lot is flush



Streets and Alleys	Set-backs	Yards	Usable Open Space
		X	X
X	X	X	X

to the interior lot line immediately adjacent to the projecting portions of such bay window or balcony) by not less than one foot at the line establishing the required open area, with such separation increased in proportion to the distance from such line by means of a 135 degree angle drawn outward from such one-foot dimension, reaching a minimum of four feet along a line parallel to and at a distance of three feet from the line establishing the required open area.

3. Bay (projecting) windows, balconies (other than balconies used for primary access to two or more dwelling units or two or more bedrooms in group housing), and similar features that increase either the floor area of the building or the volume of space enclosed by the building above grade, when limited as specified herein. With respect to obstructions within yards and usable open space, the bay windows and balconies specified in Paragraph (c)2 above shall be permitted as an alternative to those specified in this Paragraph (c)3.

(A) The minimum headroom shall be 7½ feet.

(B) Projection into the required open area shall be limited to three feet, or 1/6 of the required minimum dimension (when specified) of the open area, whichever is less.

(C) In the case of bay windows, the maximum length of each bay window shall be 10 feet, and the minimum horizontal separation between bay windows shall be five feet, above all parts of the required open area.

(D) The aggregate length of all bay windows and balconies projecting into the required open area shall be no more than 2/3 the buildable width of the lot along a rear building wall, 2/3 the buildable length of a street side building wall, or 1/3 the length of all open areas along the buildable length of an interior side lot line; in the case of yards, these limits on aggregate length shall apply to the aggregate of all bay windows, balconies, fire escapes and chimneys.

4. Fire escapes, leaving at least 7½ feet of headroom exclusive of drop ladders to grade, and not projecting more than necessary for safety or in any case more than four feet six inches into the required open area. In the case of yards, the aggregate length of all bay windows, balconies, fire escapes and chimneys that extend into the required open area shall be no more than 2/3 the buildable width of the lot along a rear building wall, 2/3 the buildable length of a street side building wall, or 1/3 the buildable

Streets and Alleys	Set-backs	Yards	Usable Open Space
		X	X
X		X	
X			
X	X		
X	X		
X	X		
	X	X	X

length of an interior side lot line.

5. Overhead horizontal projections other than those listed in Paragraphs (c)1, 2, 3 and 4 above, leaving at least 7½ feet of headroom, where the depth of any such projection is no greater than the headroom it leaves, and in no case is greater than 10 feet; and provided that, in the case of common usable open space at ground level, the open space under the projection directly adjoins uncovered usable open space that is at least 10 feet in depth and 15 feet in width.

6. Chimneys not extending more than three feet into the required open area or 1/6 of the required minimum dimension (when specified) of the open area, whichever is less; provided, that the aggregate length of all bay windows, balconies, fire escapes and chimneys that extend into the required open area is no more than 2/3 the buildable width of the lot along a rear building wall, 2/3 the buildable length of a street side building wall, or 1/3 the buildable length of an interior side lot line.

7. Temporary occupancy of street and alley areas during construction and alteration of buildings and structures, as regulated by the Building Code and other portions of the Municipal Code.

8. Space below grade, as regulated by the Building Code and other portions of the Municipal Code.

9. Building curbs and buffer blocks at ground level, not exceeding a height of nine inches above grade or extending more than nine inches into the required open area.

10. Signs as regulated by Article 6 of this Code, at locations and to the extent permitted therein.

11. Flag poles for projecting flags permitted by Article 6 of this Code.

12. Marquees, awnings and canopies in P, C and M districts, as regulated by the Building Code and as further limited by this Code.

13. Retaining walls that are necessary to maintain approximately the grade existing at the time of construction of a building. Other retaining walls and the grade maintained by them shall be subject to the same regulations as decks (see Paragraphs (c)24 and (c)25 below).



Streets and Allies	Set-backs	Yards	Usable Open Space
	X	X	X
			14. Steps of any type not more than three feet above grade; and uncovered stairways and landings not extending higher than the floor level of the adjacent first floor of occupancy above the ground story, and, in the case of yards and usable open space, extending no more than six feet into the required open area for any portion that is more than three feet above grade, provided that all such stairways and landings shall occupy no more than 2/3 the buildable width of the lot along a front or rear building wall, 2/3 the buildable length of a street side building wall, or 1/3 the length of all open areas along the buildable length of an interior side lot line.
X	X	X	X
			15. Railings no more than three feet six inches in height above any permitted step, stairway, landing, fire escape, deck, porch or balcony, or above the surface of any other structure permitted in the required open area.
	X	X	X
			16. Decorative railings and decorative grille work, other than wire mesh, at least 75 per cent open to perpendicular view and no more than six feet in height above grade.
	X	X	X
			17. Fences no more than three feet in height above grade.
		X	X
			18. Fences and wind screens no more than six feet in height above grade.
		X	
			19. Fences and wind screens no more than 10 feet in height above grade.
	X	X	
			20. Normal outdoor recreational and household features such as play equipment and drying lines.
X	X	X	
	X	X	
			21. Landscaping and garden furniture.
			22. Garden structures enclosed by walls on no more than 50 per cent of their perimeter, such as gazebos and sunshades, if no more than eight feet in height above grade and covering no more than 60 square feet of land.
	X		
			23. Other structures commonly used in gardening activities, such as greenhouses and sheds for storage of garden tools, if no more than eight feet in height above grade and covering no more than 100 square feet of land.
	X		
			24. Decks, whether attached to a building or not, at or below the adjacent first floor of occupancy, if developed as usable open space and meeting the following requirements:

(A) Slope of 15 per cent or less. The floor of

Streets and Allies	Set-backs	Yards	Usable Open Space
	.		
			the deck shall not exceed a height of three feet above grade at any point in the required open area, nor shall such floor penetrate a plane made by a vertical angle 45 degrees above horizontal with its vertex three feet above grade at any lot line bordering the required open area.
			(B) Slope of more than 15 per cent and no more than 70 per cent. The floor of the deck shall not exceed a height of three feet above grade at any point along any lot line bordering the required open area, nor shall such floor penetrate a plane made by a vertical angle 45 degrees above horizontal with its vertex three feet above grade at any lot line bordering the required open area, except that when two or more lots are developed with adjacent decks whose floor levels differ by not more than three feet, whether or not the lots will remain in the same ownership, each deck may come all the way to the lot line adjacent to the other deck. In addition, the vertical distance measured up from grade to the floor of the deck shall not exceed seven feet at any point in the required open area.
			(C) Slope of more than 70 per cent. Because in these cases the normal usability of the required open area is seriously impaired by the slope, a deck covering not more than 1/3 the area of the required open area may be built exceeding the heights specified above, provided that the light, air, view and privacy of adjacent lots are not seriously affected. Each such case shall be considered on its individual merits. However, the following points shall be considered guide lines in these cases:
			(i) The deck shall be designed to provide the minimum obstruction to light, air, view and privacy.
			(ii) The deck shall be at least two feet inside all side lot lines.
			(iii) On downhill slopes, a horizontal angle of 30 degrees drawn inward from each side lot line at each corner of the rear building line shall be maintained clear and the deck shall be kept at least 10 feet inside the rear lot line.
		X	25. Except in required side yards, decks, and enclosed and unenclosed extensions of buildings, when limited as specified herein.
			(A) The structure shall extend no more than 12 feet into the required open area; and shall not occupy any space within the rear 25 per cent of the total depth of the lot, or within the rear 15 feet of the depth of the lot, whichever is greater.
			(B) Within all parts of the required open area,

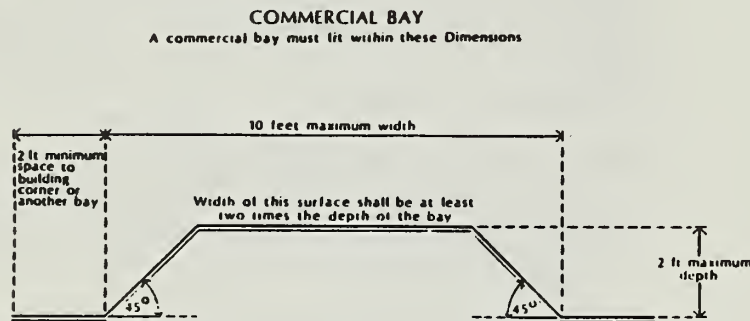


Always	Sometimes	Never	Unstable Over Time
	X	X	
	X		
		X	

Streams and Allies	Sat Satia	Verde	Unklo Open Space
	X	X	

pediment and sills), with a cross-sectional area of not more than 3 square feet at midpoint, may project 1 foot horizontally.

2. Bay Windows. Notwithstanding the provisions of subsections (c)2, (D) and (F) of this section, bay windows on non-residential floors of a structure are permitted only if the width of the bay is at least two times its depth, the total width of all bays on a facade plane does not exceed one-half of the width of the facade plane, and the maximum horizontal (plan) dimensions of the bay fit within the dimensions set forth in the diagram below.



## SEC. 137. MODIFICATION OF CERTAIN PLAZAS AND ARCADES.

In C-3 districts, modifications and improvements of plazas and arcades designed to make the spaces more attractive and useful may be approved, in accordance with the provisions of Section 309, by application of the standards contained in and the guidelines adopted pursuant to Section 138 of this Code and the objectives and policies of the Downtown Plan, a component of the

Master Plan, or any amendment thereto, notwithstanding the fact that such modifications and improvements would not have been permitted under former Sections 126(b)(5) and (b)(7) of this Code.

## SEC. 138. OPEN SPACE REQUIREMENTS IN C-3 DISTRICTS.

- (a) Requirement. An applicant for a permit to construct a new building or an addition of gross floor area equal to 20% or more of an existing building (hereinafter "building") in C-3 districts shall provide open space in the amount and in accordance with the standards set forth in this section. All determinations concerning the adequacy of the amount of open space to be provided and its compliance with the requirements of this section shall be made in accordance with the provisions of Section 309.
- (b) Amount required. Open space shall be provided in the amounts specified below for all uses except (i) residential uses, which shall be governed by Section 135 of this Code, (ii) institutional uses; and (iii) uses in a predominantly retail building. For the purposes of this section a predominantly retail building is one in which two-thirds or more of the occupied floor area is in retail use.

### Minimum Amount of Open Space Required

<u>Use District</u>	<u>Ratio of Square Feet Of Open Space to Gross Square Feet of Uses with Open Space Requirement</u>
C-3-0	1:50
C-3-R	1:100
C-3-G	1:50
C-3-S	1:50
C-3-0 (SD)	1:50



(c) Location. The open space required by this section may be on the same site as the building for which the permit is sought, or within 900 feet of it on either private property or, with the approval of all relevant public agencies, public property. Open space is within 900 feet of the building within the meaning of this section if any portion of the building is located within 900 feet of any portion of the open space. Offsite open space shall be developed and open for use prior to issuance of a temporary permit of occupancy of the building whose open space requirement is being met offsite. The procedures of Section 149(d) governing issuance of a temporary permit of occupancy shall apply to this subsection.

(d) Types of Open Space. Except as otherwise provided in subsection (e) the project applicant may satisfy the requirements of this section by providing one or more of the following types of open space: a plaza, an urban park, an urban garden, a view terrace, a sun terrace, a greenhouse, a small sitting area (a snippet), an atrium, an indoor park, or a public sitting area in a galleria, in an arcade, or in a pedestrian mall or walkway, as more particularly defined in the table entitled "Guidelines for Open Space" in the Open Space Section of the Downtown Plan, or any amendments thereto; provided, however, that any amendments to the guidelines shall assure that the permitted open space meets the following minimum standards. The open space shall:

(1) be of adequate site;

(2) be situated in such locations and provide such ingress and egress as will make the area easily accessible to the general public;

(3) be well designed and where appropriate be landscaped;

(4) be protected from uncomfortable wind;

(5) incorporate various features, including ample seating and, if appropriate, access to food service, which will enhance public use of the area;

(6) have adequate access to sunlight if sunlight access is appropriate to the type of area;

(7) be well lighted if the area is of the type requiring artificial illumination;

(8) be open to the public at times when it is reasonable to expect substantial public use;

(9) be designed to enhance user safety and security.

(e) Approval of Open Space Type and Features. The type, size, location, physical access, seating and table requirements, landscaping, availability of commercial services, sunlight and wind conditions and hours of public access shall be reviewed and approved in accordance with the provisions of Section 309 and shall generally conform to the "Guidelines for Open Space".

The Commission may, by resolution, declare certain types of open space ineligible throughout C-3 districts, or in certain defined areas, if it determines that a disproportionate number of certain types of open space, or that an insufficient number of parks and plazas, is being provided in order to meet the public need for open space and recreational uses. Such resolution may exempt from its application projects whose permit applications are on file with the Department of City Planning.

(f) Open Space Provider. The open space required by this section may be provided: (i) individually by the project sponsor; (ii) jointly by the project sponsor and other project sponsors, provided that, each square foot of jointly developed open space may count toward only one sponsor's requirement; or (iii) with the approval of the City Planning Commission, by a public or private agency which will develop and maintain the open space and to which a payment is made by the sponsor for the cost of development of the number of square feet the project sponsor is required to provide, and with which provision is made, satisfactory to the Commission, for the continued maintenance of the open space for the actual lifetime of the building giving rise to the open space requirement provided that, the Commission finds that there is reasonable assurance that the open space to be developed by such agency will be developed and open for use by the time the building the open space requirement of which is being met by the payment is ready for occupancy.

(g) Non-residential/Residential Open Space. In mixed non-residential/residential projects,

open space which meets the requirements of Section 135 regarding common usable open space for residential uses, and the requirements of Section 138 regarding open space for non-residential uses, may be counted against the open space requirements of both Sections 135 and 138.

(h) Maintenance. Open spaces shall be maintained at no public expense. Conditions intended to assure continued maintenance of the open space for the actual lifetime of the building giving rise to the open space requirement may be imposed in accordance with the provisions of Section 309.

(i) Informational Plaque. Prior to issuance of a permit of occupancy, a plaque shall be placed in a publicly conspicuous location outside the building at street level, or at the site of an outdoor open space, identifying the open space feature and its location, stating the right of the public to use the space and the hours of use, describing its principal required features (e.g. number of seats, availability of food service) and stating the name and address of the owner or owner's agent responsible for maintenance.

(j) Exception. The open space requirement may be modified or waived if it is determined on the basis of substantial evidence that there is no feasible way the requirement can be met either on the site of the development giving rise to the requirement or on another eligible property. Exceptions may be granted in accordance with the provisions of Section 309.



**SEC. 141. SCREENING OF ROOFTOP FEATURES, R, C AND M DISTRICTS.**

In R, C and M districts, rooftop mechanical equipment and appurtenances to be used in the operation or maintenance of a building shall be arranged so as not to be visible from any point at or below the roof level of the subject building. This requirement shall apply in construction of new buildings, and in any alteration of mechanical systems of existing buildings that results in significant changes in such rooftop equipment and appurtenances. The features so regulated shall in all cases be either enclosed by outer building walls or parapets, or grouped and screened in a suitable manner, or designed in themselves so that they are balanced and integrated with respect to the design of the building. Minor features not exceeding one foot in height shall be exempted from this regulation.

- (b) In C-3 districts, whenever the enclosure of mechanical equipment and appurtenances will become a prominent feature on the skyline, modifications may, in accordance with provisions of Section 309, be required in order to insure that: (1) the enclosure is designed as a logical extension of the building form and an integral part of the overall building design; (2) its cladding and detailing is comparable in quality to that of the rest of the building; (3) if screened by additional volume, as authorized by Section 260(b), the rooftop form is appropriate to the nature and proportions of the building, and is designed to obscure the rooftop equipment and appurtenances and to provide a more balanced and graceful silhouette for the top of the building or structure; and (4) the additional building volume is not distributed in a manner which simply extends vertically the walls of the building.

[Sec. 142 is unchanged.]

**SEC. 143. STREET TREES, RADISTRICTS.** (a) In any R district, street trees shall be installed by the owner or developer in the case of construction of a new building, relocation of a building, or addition of floor area equal to 20 per cent or more of an existing building.

(b) The street trees installed shall be a minimum of one tree of 15 gallon size for each 20 feet of frontage of the property along each street or alley, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. Such trees shall be located either within a set-back area on the lot or within the public right-of-way along such lot.

(c) The species of trees selected shall be suitable for the site, and in the case of trees installed in the public right-of-way the species and locations shall be subject to approval by the Department of Public Works. Procedures and other requirements for the installation, maintenance and protection of trees in the public right-of-way shall be as set forth in Article 16 of the Public Works Code.

(d) In any case in which the Department of Public Works cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 143 may be modified or waived by the Zoning Administrator to the extent necessary.

- (e) In C-3 districts, the Zoning Administrator may allow the installation of planter boxes or tubs or similar landscaping in place of trees when that is determined to be more desirable in order to make the landscaping compatible with the character of the surrounding area, or may waive the requirement where landscaping is considered to be inappropriate because it conflicts with policies of the Downtown Plan, a component of the Master Plan, such as the policy favoring unobstructed pedestrian passage.

[Sections 144 & 145 are unchanged.]

SEC. 146 SUNLIGHT ACCESS TO PUBLIC SIDEWALKS IN C-3 DISTRICTS.

- (a) Requirement of Sunlight Access on Certain Streets. In order to maintain direct sunlight on public sidewalks in certain downtown areas during critical periods of use, new structures and additions to existing structures on parcels which abut on the side of a street identified below shall be required to avoid penetration of a sun access plane defined by an angle sloping away from the street above a specified height at the property line abutting the street as follows:

STREET	FROM	TO	SIDE OF STREET ON WHICH LOTS ABUT	MAXIMUM STREET WALL HEIGHT	SUN ACCESS ANGLE
Bush	Kearny	Montgomery	South	65'	50°
Sutter	Powell	100' East of Kearny	South	66'	50°
Post	Mason	200' East of Kearny	South	66'	50°
Geary	Mason	Kearny	South	65'	50°
O'Farrell	Cyril Magnin	Grant	South	66'	50°
Ellis	Cyril Magnin	Stockton	South	68'	50°
Powell	Market	Sutter	East	151'	70°
Powell	Market	Sutter	West	65'	50°
Stockton	Market	Bush	East	148'	70°
Stockton	Market	Bush	West	65'	50°
Grant	Market	Bush	East	170'	70°

Grant	Market	Bush	West	74'
Kearny	Market	Washington	East	170'
Kearny	Market	Pine	West	74'
Second	Market	Folsom	West	132'
New Montgomery	Market	Howard	West	132'
Market	Tenth	Second	South	119'
Market	So. Van Ness	Twelfth	South	119'

- (b) Exception. An exception to the requirements of subsection (a) may be granted in the manner provided in Section 309 of this Code in cases where (i) the penetration of the plane does not create shadow because of the shadow already cast by other buildings, or (ii) the shadow created by the penetration of the plane is deemed insignificant because of the limited extent or duration of the shadow or because of the limited public use of the shadowed space.

- (c) Shadows on Other Streets. New buildings and additions to existing buildings shall be shaped, if it can be done without creating an unattractive design and without unduly restricting the development potential of the site in question, so as to reduce substantial shadow impacts on public sidewalks in the C-3 districts other than those protected by subsection (a). Determinations made under this subsection shall be made in accordance with the provisions of Section 309.



147 MINIMIZATION OF SHADOWS ON CERTAIN PUBLIC OR PUBLICLY ACCESSIBLE OPEN SPACES IN C-3 DISTRICTS.

New buildings and additions to existing buildings in C-3 districts shall be shaped, consistent with the dictates of good design and without unduly restricting the development potential of the site in question, to reduce substantial shadow impacts on public plazas and other publicly accessible spaces other than those protected under Section 295. In determining the impact of shadows, the following factors shall be taken into account: the amount of area shadowed, the duration of the shadow, and the importance of sunlight to the utility of the type of open space being shadowed. Determinations under this section shall be made in accordance with the provisions of Section 309.

SEC. 148 REDUCTION OF GROUND LEVEL WIND CURRENTS IN C-3 DISTRICTS.

- (a) Requirement and Exception. In C-3 districts, new buildings and additions to existing buildings shall be shaped, or other wind baffling measures shall be adopted, so that the development will not cause ground level wind currents to exceed, more than 10% of the time year round, between 7 a.m. and 6 p.m., the comfort level of 11 m.p.h. equivalent wind speed in areas of substantial pedestrian use and 7 m.p.h. equivalent wind speed in public seating areas.

When pre-existing ambient wind speeds exceed the comfort level, or when a proposed building or addition may cause ambient wind speeds to exceed the comfort

level, the building shall be designed to reduce the ambient wind speeds to meet the requirements. If it can be shown that a building or addition cannot be shaped or wind baffling measures cannot be adopted to meet the foregoing requirements without creating an unattractive building form and without unduly restricting the development potential of the building site in question, an exception may be granted, in accordance with the provisions of Section 309, allowing the building or addition to add to the amount of time that the comfort level is exceeded by the least practical amount, but not to exceed 3% of the time, year round, between 7 a.m. and 6 p.m..

No exception shall be granted and no building or addition shall be permitted that causes equivalent wind speeds to reach or exceed the hazard level of 26 miles per hour for a single hour of the year.

- (b) Definition. The term "equivalent wind speed" shall mean an hourly mean wind speed adjusted to incorporate the effects of gustiness or turbulence on pedestrians. The equivalent wind speed at a point of measurement is the mean wind velocity at the point multiplied by the quantity equal to the sum of two times the turbulence intensity plus 0.7.

SEC. 149 ART WORKS, RECOGNITION OF ARCHITECT AND MODEL REQUIREMENTS IN C-3 DISTRICTS.

- (a) Art Works. In the case of construction of a new building or addition of floor area in excess of 25,000 square feet to an existing building in a C-3 district, works of art costing an amount equal to 1 1/2% of the

construction cost of the building or addition shall be installed (prior to issuance of a permit of occupancy) and maintained (i) in areas on the site of the building or addition and clearly visible from the public sidewalk or the open space feature required by Section 138, or (ii) on the site of the open space feature provided pursuant to Section 138, or (iii) upon the approval of any relevant public agency, on adjacent public property, or (iv) in a publically accessible lobby area of a hotel. Said works of art may include sculpture, bas-relief, murals, mosaics, decorative water features, or other art works permanently affixed to the building or its grounds, or a combination thereof, but may not include architectural features of the building. Art works shall be displayed in a manner that will enhance their enjoyment by the general public. The type and location of art work, but not the artistic merits of the specific art work proposed, shall be approved in accordance with the provisions of Section 309. The term "construction cost" shall mean the actual amounts expended by the sponsor for physical construction, including only direct materials and labor costs paid to suppliers of materials and to construction contractors. The sponsor shall provide information necessary to verify construction costs and cost of the art work (which information shall be confidential) to the Zoning Administrator, who shall determine whether the costs meet the requirements of this Section.

- (b) Recognition of Architects. In the case of construction of a new building or of floor area in excess of 25,000 square feet to an existing building in a C-3 district, a

plaque or cornerstone identifying the project architect and the erection date shall be placed at a publicly conspicuous location on the building prior to the issuance of a temporary permit of occupancy.

- (c) Models. In a C-3 district, in the case of construction of a new building, or any addition in height in excess of 40' to an existing building, two models shall be submitted to the Department of City Planning prior to approval of the project as follows:

- 1) one model of the building at a scale of 1"=100'; and
- 2) one model of the block in which the building is located at a scale of 1"=32', which model shall include all the buildings on the block on which the building is located and the streets surrounding the block to the centerline of the streets and shall use as its base the land form starting at sea level; provided, however, that if the Department of City Planning determines that it has an up-to-date model of the block in which the building is located, only a model of the building shall be submitted.

- (d) Procedure Regarding Temporary Permit of Occupancy. The Superintendent of the Bureau of Building Inspection shall provide notice in writing to the Zoning Administrator at least two business days prior to issuing a temporary permit of occupancy for any building subject to the provisions of this section. If the Zoning



Administrator notifies the Superintendent within such time that the provisions of this section have not been complied with, the Superintendent shall deny the temporary permit. If the Zoning Administrator notifies the Superintendent that the provisions of this section have been complied with or fails to respond within two business days, the temporary permit of occupancy shall not be disapproved pursuant to this section.

## ARTICLE 1.5

## OFF-STREET PARKING AND LOADING

[§§ 150 and 151 are unchanged]

**SEC. 152. SCHEDULE OF REQUIRED OFF-STREET FREIGHT LOADING SPACES.** IN DISTRICTS OTHER THAN C-3.

Off-street freight loading spaces shall be provided in the minimum quantities specified in the following table, except as otherwise provided in Section 161 of this Code. The measurement of gross floor area shall be as defined in this Code, except that non-accessory parking spaces and driveways and maneuvering areas incidental thereto shall not be counted.

**TABLE 5**  
**Off-Street Freight Loading Spaces Required**

Use or Activity	Gross Floor Area of Structure or Use (sq. ft.)	Number of Off-Street Freight Loading Spaces Required
Retail stores, wholesaling, manufacturing, and all other uses primarily engaged in the handling of goods	0 - 10,000	0
	10,001 - 60,000	1
	60,001 - 100,000	2
	over 100,000	3 plus 1 for each additional 80,000 sq. ft.
Offices, hotels, apartments and all other uses not included above	0 - 100,000	0
	100,001 - 200,000	1
	200,001 - 300,000	2
	over 300,000	3 plus 1 for each additional 400,000 sq. ft.

SEC. 152.5. SCHEDULE OF REQUIRED OFF-STREET FREIGHT LOADING AND SERVICE VEHICLE SPACES IN C-3 DISTRICTS. In C-3 districts off-street freight loading spaces shall be provided in the minimum quantities specified in the following table, except as otherwise provided in Sections 153(a)6 and 161 of this Code. The measurement of gross floor area shall be as defined in this Code, except that non-accessory parking spaces and driveways and maneuvering areas incidental thereto shall not be counted.

## OFF-STREET FREIGHT LOADING SPACE REQUIREMENTS

Use or Activity	Gross Floor Area Of Structure or Use (square feet)	Spaces Required
Offices and Banks		0.1 space per 10,000 sq. ft. of gross floor area (to closest whole number per Section 153)
Retail stores,	0 - 10,000	0
Restaurants,	10,001 - 30,000	1
Bars and	30,001 - 50,000	2
Drug Stores	over 50,000	1 space per 25,000 sq. ft. of gross floor area (to closest whole number per Section 153)
-Wholesaling,	0 - 10,000	0
-Manufacturing, and All Other Uses	10,001 - 50,000	1
-Primarily Engaged in Handling Goods	Over 50,000	0.21 spaces per 10,000 sq. ft. of gross floor area (to closest whole number per Section 153)
Hotels, Apartments and All Other Uses Not Included Above	0 - 100,000	0
	100,001 - 200,000	1
	200,001 - 500,000	2
	Over 500,000	3
26		Plus 1 space for each additional 400,000 sq. ft.



**SEC. 153. RULES FOR CALCULATION OF REQUIRED SPACES.** (a) In the calculation of off-street parking and freight loading spaces required under Sections 151, and 152, the following rules shall apply:

1. In the case of mixed uses in the same structure, on the same lot or in the same development, or more than one type of activity involved in the same use, the total requirements for off-street parking and loading spaces shall be the sum of the requirements for the various uses or activities computed separately, including fractional values.

2. Where an initial quantity of floor area, rooms, seats or other form of measurement is exempted from off-street parking or loading requirements, such exemption shall apply only once to the aggregate of that form of measurement. If the initial exempted quantity is exceeded, for either a structure or a lot or a development, the requirement shall apply to the entire such structure, lot or development, unless the contrary is specifically stated in this Code.

3. Where a structure or use is divided by a zoning district boundary line, the requirements as to quantity of off-street parking and loading spaces shall be calculated in proportion to the amount of such structure or use located in each zoning district.

4. Where seats are used as the form of measurement, each 22 inches of space on benches, pews and similar seating facilities shall be considered one seat.

5. When the calculation of the required number of off-street parking , and freight loading

spaces results in a fractional number, a fraction of one-half or more shall be adjusted to the next higher whole number of spaces and a fraction of less than one-half may be disregarded.

6. In C-3 districts, substitution of 2 service vehicle spaces for each required off-street freight loading space may be made, provided that a minimum of 50 percent of the required number of spaces are provided for freight loading. Where the 50 percent allowable substitution results in a fraction, the fraction shall be disregarded.

(b) The requirements for off-street parking and loading for any use not specifically mentioned in Sections 151 and 152 shall be the same as for a use specified which is similar, as determined by the Zoning Administrator.

**SEC. 154. MINIMUM DIMENSIONS FOR REQUIRED OFF-STREET PARKING, AND FREIGHT LOADING AND SERVICE VEHICLE SPACES.**

**(a) Parking Spaces.**

1. Every required off-street parking space shall have a minimum area of 160 square feet, except as specified in Paragraph (a)2 below. Every required space shall be of usable shape. The area of any such space shall be exclusive of driveways, aisles and maneuvering areas.

2. In the case of any structure or use for which four or more off-street parking spaces are required, the fourth such space may be a compact car space, and for each two spaces required in excess of four the second such space may be a compact car space. For this purpose every compact car space shall have a minimum area of 127.5 square feet and shall be specifically marked and identified as a compact car space.

3. Ground floor ingress and egress to any off-street parking facilities provided for a structure or use, and all areas of such facilities to be designated as preferential carpool or vanpool parking and their associated driveways, aisles and maneuvering areas, shall maintain a minimum vertical clearance of 7 feet.

**(b) Freight loading and service vehicle spaces.**

Every required off-street freight loading space shall have a minimum length of 35 feet, a minimum width of 12 feet, and a minimum vertical clearance including entry and exit of 14 feet; ~~except that for the first such space required for any structure or use the minimum length shall be 25 feet and the minimum vertical clearance including entry and exit shall be 16 feet. These dimensions shall be exclusive of platform, driveways and maneuvering areas.~~

, except as provided below.

1. Minimum dimensions specified herein shall be exclusive of platform, driveways and maneuvering areas, except that minimum vertical clearance must be maintained to accommodate variable truck height due to driveway grade.

2. The first such space required for any

structure or use shall have a minimum width of 10 feet, a minimum length of 25 feet, and a minimum vertical clearance, including entry and exit, of 12 feet.

3. Each substituted service vehicle space provided under Section 153(a)6 of this Code shall have a minimum width of 8 feet, a minimum length of 20 feet, and a minimum vertical clearance of 7 feet.

#### **SEC. 155. GENERAL STANDARDS AS TO LOCATION AND ARRANGEMENT OF OFF-STREET PARKING, AND FREIGHT LOADING AND SERVICE VEHICLE FACILITIES.**

Required off-street parking and freight loading facilities shall meet the following standards as to location and arrangement. In addition, facilities which are not required but are actually provided shall meet the following standards unless such standards are stated to be applicable solely to required facilities. In application of the standards of this Code for off-street parking and loading, reference may be made to provisions of other portions of the Municipal Code concerning off-street parking and loading facilities, and to standards of the Bureau of Engineering of the Department of Public Works. Final authority for the application of such standards under this Code, and for adoption of regulations and interpretations in furtherance of the stated provisions of this Code shall, however, rest with the Department of City Planning.

(a) Every required off-street parking or loading space shall be located on the same lot as the use served by it, except as provided in Sections 159, 160 and 161 of this Code.

(b) Every required off-street parking or loading space shall be located in its entirety within the lot lines of private property

(c) Every off-street parking or loading space shall have adequate means of ingress from and egress to a street or alley. Every required off-street parking or loading space shall be independently accessible, with the exception of a parking space for a minor second dwelling unit in an RH-1(S) district.

In C-3 districts, if it is found, in accordance with the provisions of Section 309, that independently accessible spaces are infeasible due to site constraints,

the substitution of attendant parking spaces for independently accessible spaces may be approved. <sup>Access</sup>  
to off-street loading spaces shall be from alleys in preference to streets.

In C-3 districts, where there is a choice, access to off-street parking and loading spaces shall be from streets and alleys which are not part of the pedestrian network and minor streets rather than transit preferential streets or major arterial streets, all as identified in the Downtown Plan, a component of the Master Plan.

Adequate reservoir space shall be provided on private property for entrance of vehicles to off-street parking and loading spaces.

except with respect to spaces independent accessible directly from the street.

- (d) All freight loading and service vehicle spaces in the C-3-O, C-3-R and C-3-G districts shall be completely enclosed within the building and access from a public street or alley shall be provided by means of a private service driveway, which is totally contained within the structure and the lot lines of the subject private property. Such a private service driveway shall include adequate space to maneuver trucks and service vehicles into and out of all provided spaces, and shall be designed so as to facilitate access to the subject property while minimizing interference with street and sidewalk circulation. Any such private service driveway shall be of adequate width to accommodate drive-in movement from the adjacent curb or inside traffic lane but shall in no case exceed 30 feet. Notwithstanding the foregoing, up to four spaces may be allowed, pursuant to the provisions of Section 309, to be individually accessible directly from a



street or alley which is primarily used for building service.

- (e) In a C-3 district, where site constraints would make a consolidated freight loading and service vehicle facility impractical, service vehicle spaces required by Sections 153(a)6 and 154(b)3 of this Code may be located in a parking garage for the structure or other location separate from freight loading spaces.
- (f) In a C-3 district, whenever off-street freight loading spaces are provided, freight elevators immediately accessible from the loading dock shall be provided to all floors which contain uses that are included in the calculation of required number of freight loading spaces. If freight loading facilities are subterranean, the location and operation of freight elevators shall be designed, where feasible, to discourage use of freight elevators for deliveries from the ground floor. Directories of building tenants shall be provided at all freight elevators. A raised loading dock or receiving area shall be provided with sufficient dimensions to provide for short-term storage of goods. All required freight loading and service vehicle spaces shall be made available only to those vehicles at all times, and provision shall be made to minimize interference between freight loading and service operations, and garbage dumpster operations and storage.
- (g) In order to discourage long-term commuter parking, any off-street parking spaces provided for a structure or use other than residential or hotel in a C-3 District, whether classified as an accessory or

conditional use, which are otherwise available for use for long-term parking by downtown workers shall maintain a rate or fee structure for their use such that the rate charge for four hours of parking duration is no more than four (4) times the rate charge for the first hour, and the rate charge for eight or more hours of parking duration is no less than 10 times the rate charge for the first hour. Additionally, no discounted parking rate shall be permitted for weekly, monthly or similar time-specific periods.

- (h) ~~(d)~~ The internal layout of off-street parking and loading spaces, driveways, aisles and maneuvering areas shall be according to acceptable standards, and all spaces shall be clearly marked.
- (i) ~~(e)~~ For each 25 off-street parking spaces provided, one such space shall be designed and designated for handicapped persons.
- (j) ~~(f)~~ For each 20 off-street parking spaces provided, one space shall be provided for parking of a bicycle.
- (k) ~~(g)~~ Off-street parking and loading facilities shall be arranged so as to prevent encroachments upon sidewalk areas and adjacent properties, in the maneuvering, standing and storage of vehicles, by means of the layout of facilities and by use of bumper or wheel guards or such other devices as are necessary.
- (l) ~~(h)~~ Driveways crossing sidewalks shall be no wider than necessary for ingress and egress, and shall be arranged, to the extent practical, so as to minimize the width and frequency of curb cuts, to maximize the number and size of on-street parking spaces available to the public, and to minimize conflicts with pedestrian and transit movements.
- (m) ~~(i)~~ Every off-street parking or loading facility shall be suitably graded, surfaced, drained and maintained.
- (n) ~~(j)~~ Off-street parking and loading spaces shall not occupy any required open space, except as specified in Section 136 of this Code.
- (o) ~~(k)~~ No area credited as all or part of a required off-street parking space shall also be credited as all or part of a required off-street loading space, or used as all or part of an unrequired off-street loading space. No area credited as all or part of a required off-street loading space shall also be credited as all or part of a required off-street parking space, or used as all or part of an unrequired off-street parking space.
- (p) ~~(l)~~ Any off-street freight loading area located within 50 feet of any R district shall be completely enclosed within a building if such freight loading area is used in regular night operation.

**SEC. 156. PARKING LOTS.** (a) A parking lot is hereby defined as an off-street open area or portion thereof solely for the parking of passenger automobiles. Such an area or portion shall be considered a parking lot whether or not on the same lot as another use, whether or not required by this Code for any structure or use, and whether classified as an accessory, principal or conditional use.

(b) Where parking lots are specified in Article 2 of this Code as a use for which conditional use approval is required in a certain district, such conditional use approval shall be required only for such parking lots in such district as are not qualified as accessory uses under Section 204.5 of this Code. The provisions of this Section 156 shall, however, apply to all parking lots whether classified as accessory, principal or conditional uses.

(c) In considering any application for a conditional use for a parking lot for a specific use or uses, where the amount of parking provided exceeds the amount classified as accessory parking in Section 204.5 of this Code, the City Planning Commission shall consider the criteria set forth in Section 157.

(d) Any parking lot for the parking of two or more automobiles which adjoins a lot in any R district, or which faces a lot in any R district across a street or alley, shall be screened from view therefrom, except at driveways necessary for ingress and egress, by a solid fence, a solid wall, or a compact evergreen hedge, not less than four feet in height.

(e) Any parking lot for the parking of 10 or more automobiles within the C-3-O, C-3-R, C-3-S, or C-3-G district shall be screened from view from every street, except at driveways necessary for ingress and egress, by a solid fence, a solid wall, or a compact evergreen hedge, not less than four feet in height.

(f) All artificial lighting used to illuminate a parking lot for any number of automobiles in any R district or C district shall be so arranged that all direct rays from such lighting fall entirely within such parking lot.

(g) No parking lot for any number of automobiles shall have conducted upon it any dead storage or dismantling of vehicles, or any repair or servicing of vehicles other than of an emergency nature.

(h) No permanent parking lot shall be permitted in C-3-O, C-3-R, and C-3-G Districts; temporary parking lots may be approved as conditional uses pursuant to the provisions of Section 303 for a period not to exceed two years; permanent parking lots in C-3-S Districts shall be permitted only as a conditional use.

[Section 157 is unchanged]

**SEC. 158. MAJOR PARKING GARAGES IN C-3 DISTRICTS.** (a) Statement of purpose. It is the purpose of this section to establish a procedure by which major parking garages proposed for downtown San Francisco may be reviewed as to the appropriateness of their location and arrangement, recognizing the need for continuing development of a unified transportation system conveniently serving the downtown area.

(b) Definition of major parking garage. A major parking garage shall be any garage for the parking of passenger automobiles, for short or long term periods and for any use, which is not classified as an accessory parking facility under Section 204.5 of this Code.

(c) Review by City Planning Commission. Review of the location and design of any major parking garage in a C-3 district by the City Planning Commission, either as a conditional use under Section 303 of this Code or upon referral by the Board of Supervisors or any other agency, shall be in accordance with the criteria set forth below.

(d) Criteria for review. The following criteria shall be considered, in addition to those stated in Section 303(c) of this Code, and those stated in Section 157 of this Code when applicable:

1. Accessibility to the area of the proposed site and to the proposed parking garage itself, from freeway ramps or from major thoroughfares;
2. Convenient service to areas of concentrated development, particularly those within the C-3-O and C-3-R districts, by location of the proposed parking garage near or adjacent to but not inside such concentrated areas;
3. Minimization of conflict of the proposed parking garage with pedestrian movements and amenities, resulting from the placement of driveways and ramps, the breaking of continuity of shopping facilities along sidewalks, and the drawing of traffic through areas of heavy pedestrian concentration;
4. The service patterns of other forms of transportation;
5. Establishment of a parking rate structure or fee favorable to short-term parking (4 hours or less) and designed to discourage long-term parking, as set forth in Section 155(g) of this Code;
6. Minimization of conflict of the proposed parking garage with transit operations and loading points, resulting from the location of driveways, ramps and vehicle queueing areas;



7. The objectives and policies of the Downtown Plan, a component

~~5. The Transportation Element of the Master Plan; and~~

8. 4. Such other criteria as may be deemed appropriate in the circumstances of the particular case.

[§§ 159 & 160 are unchanged]

**SEC. 161. EXEMPTIONS FROM OFF-STREET PARKING AND-LOADING, FREIGHT LOADING AND SERVICE VEHICLE REQUIREMENTS.**

The following exemptions shall apply as to the schedules of required off-street parking and loading spaces set forth in Sections 151 and-160 through 155

of this Code.

These provisions, as exemptions, shall be narrowly construed.

(a) No off-street parking shall be required for a one-family or two-family dwelling where the lot on which such dwelling is located is entirely inaccessible by automobile because of topographic conditions.

(b) No off-street loading shall be required where access to the lot cannot be provided other than by means of a driveway across a sidewalk 25 feet or more in width from the curb to the front lot line which would cause serious disruption to pedestrian traffic.

(c) In recognition of the compact and congested nature of the downtown area, the accessibility of this area by public transit, and programs for provision of public parking facilities on an organized basis at specific locations, no off-street parking shall be required for any use, other than dwellings where a requirement is specified, in any C-3 district.

In any C-3 district the parking requirement for dwellings may be reduced, but not below one parking space for every four dwelling units, if it is established, pursuant to the provisions of Section 309, that, because of the location and type of development, auto ownership of the residents is likely to be less than the requirement.

(d) In recognition of the small scale of development, the desirability of retention and conversion of many existing buildings of established character, the need to relieve congestion, and the provision of public parking facilities on an organized basis at specific locations, no off-street parking shall be required for any use other than dwellings in Washington-Broadway Special Use District Numbers 1 and 2 as described in Section 239 of this Code, where the size of the lot does not exceed 20,000 square feet.

(e) In recognition of the close neighborhood orientation of the uses provided for in Residential-Commercial Combined districts of high density, no off-street parking shall be required for any principal use in an RC-4 district for which the form of measurement is occupied floor area, where the occupied floor area of such use does not exceed 10,000 square feet.

(f) In recognition of the policies set forth in The Plan for the Northeastern Waterfront, a part of the Master Plan, the unique nature of the area and the difficulty of providing vehicular access thereto, the City Planning Commission in specific cases may determine an appropriate reduction in off-street parking requirements in the Northern Waterfront Special Use District Number 1 as described in Section 240.1 of this Code, in authorizing any conditional use under that section. In considering any such reduction, the City Planning Commission shall consider the following criteria:

1. The anticipated parking demand to be generated by the particular use contemplated;

2. Accessibility to the proposed site from freeway ramps or from major thoroughfares;

3. Minimization of conflict of vehicular and pedestrian movements;

4. The service patterns of forms of transportation other than the automobile;

5. The pattern of land uses and the availability of parking in the vicinity;

6. The policies set forth in The Plan for the Northeastern Waterfront, including policies concerning the relative emphasis that should be given to pedestrian and vehicular movement; and

7. Such other criteria as may be deemed appropriate in the circumstances of the particular case.

(g) In instances in which all public agencies involved have certified by resolution that the requirements of this Code will be satisfied in whole or in part by public off-street parking facilities constructed or authorized to be constructed for a special assessment district or upon any other basis, (i)

or (ii) in C-3 districts will be satisfied by a requirement of a cash contribution in an amount sufficient to provide for the future construction of the required number of parking stalls,

off-street parking required for individual buildings and uses may be correspondingly reduced if the total off-street parking supply in the area will nevertheless meet the requirements of this Code for all buildings and uses in the area.

h) In recognition of the fact that site constraints in C-3 Districts may make provision of required freight loading and service vehicle spaces impractical or undesirable, a reduction in or waiver of the provision of freight loading and service vehicle spaces for uses in C-3 Districts may be permitted, in accordance with the provisions of Section 309 of this Code. In considering any such reduction or waiver, the following criteria shall be considered:

- 1) Provision of freight loading and service vehicle spaces cannot be accomplished underground because site constraints will not permit ramps, elevators, turntables and maneuvering areas with reasonable safety;
- 2) Provision of the required number of freight loading and service vehicle spaces on-site would result in the use of an unreasonable percentage of ground-floor area, and thereby preclude more desirable use of the ground floor for retail, pedestrian circulation or open space uses;
- 3) A jointly used underground facility with access to a number of separate buildings and meeting the collective needs for freight loading and service vehicles for all uses in the buildings involved, cannot be provided; and
- 4) Spaces for delivery functions can be provided at the adjacent curb without adverse effect on pedestrian circulation, transit operations or general traffic circulation, and off-street space permanently reserved for service vehicles is provided either on-site or in the immediate vicinity of the building.

SEC. 162. TOUR BUS LOADING SPACES IN C-3 DISTRICTS. Off-street tour bus loading spaces shall be provided for hotel uses in C-3 districts in the minimum quantities as follows:

<u>Number of Hotel Rooms</u>	<u>Number of Off-Street Loading Spaces Required</u>
0-200	0
201-350	1
Each additional 300 rooms	1 additional

The dimensions for each space shall be a minimum of 45 feet by 9 feet with a minimum vertical clearance of 14 feet. If more than one space is required there shall also be a bypass through lane.

(b) In recognition of the fact that site constraints in C-3 districts may make provision of the required number of tour bus loading spaces impractical, a reduction in or waiver of the provision of such spaces in C-3 districts may be permitted, in accordance with the provisions of Section 309 of this Code. In considering any such reduction or waiver, the following criteria shall be considered:

- 1) the site size is not large enough to permit a configuration of spaces that could satisfy the requirements of subsection (a);
- 2) provision of the required number and/or size of spaces would result in the use of an unreasonable percentage of ground floor area and thereby preclude more desirable use of the ground floor for retail, pedestrian circulation or open space uses;
- 3) spaces for tour bus loading can be provided at adjacent curbs or in the immediate vicinity without adverse effect on pedestrian circulation, transit operations or general traffic circulation.



SEC. 163. TRANSPORTATION MANAGEMENT PROGRAMS AND TRANSPORTATION BROKERAGE SERVICES IN C-3 DISTRICTS.

(a) Purpose. This Section is intended to assure that adequate measures are undertaken and maintained to minimize the transportation impacts of added office employment in the downtown, in a manner consistent with the objectives and policies of the Master Plan, by facilitating the effective use of transit, encouraging ridesharing, and employing other practical means to reduce commute travel by single-occupant vehicles.

(b) Requirement. For any new building or additions to or conversion of an existing building in C-3 Districts where the gross square feet of new, converted or added floor area for office use equals at least 100,000 square feet, the project sponsor shall be required to provide on-site transportation brokerage services for the actual lifetime of the project, as provided in this subsection. Prior to the issuance of a temporary permit of occupancy (for this purpose Section 149(d) shall apply), the project sponsor shall execute an agreement with the Department of City Planning for the provision of on-site transportation brokerage services and preparation of a transportation management program to be approved by the Director of Planning and implemented by the provider of transportation brokerage services. The transportation management program and transportation brokerage services shall be designed:

1. To promote and coordinate effective and efficient use of transit by tenants and their employees, including the provision of transit information and sale of transit passes on-site.
2. To promote and coordinate ridesharing activities for all tenants and their employees within the structure or use.

3. To reduce parking demand and assure the proper and most efficient use of on-site or off-site parking, where applicable, such that all provided parking conforms with the requirements of Article 1.5 of this Code and project approval requirements.
4. To promote and encourage project occupants to adopt a coordinated flex-time or staggered work hours program designed to more evenly distribute the arrival and departure times of employees within normal peak commute periods.
5. To participate with other project sponsors in a network of transportation brokerage services for the downtown area.
6. To carry out other activities determined by the Department of City Planning to be appropriate to meeting the purpose of this requirement.

## ARTICLE 1.7

# COMPLIANCE

SEC. 175.1. TRANSITIONAL INTERIM EXTENSION OF PLANNING CODE PROVISIONS. (a) The provisions of this ordinance shall not apply to any project that has received one or more approvals by the City Planning Commission or the Zoning Administrator, whether by approval of an application for a building permit, site permit, conditional use, variance, or other license (other than approvals that are required as part of the environmental review process) prior to the time that these provisions become effective. Such projects shall continue to be governed by the provisions of this Code in effect at the time of such approval. If the project has received more than one type of approval, the approval that is referred to herein is the first. The provisions of this subsection shall apply to such project even if the project is thereafter modified, provided, however, that any modification resulting in a change of use or increase in square footage may be approved only as a conditional use by the City Planning Commission and in no case may an increase of square feet in excess of 15,000 be allowed.

## SEC. 175.2. EXEMPTIONS FROM ORDINANCE.

### (a) Exemptions.

- (1) The provisions of Section 124 of this Ordinance shall not apply to projects for the substantial rehabilitation and adaptive reuse of buildings designated as landmarks by the Board of Supervisors pursuant to Article 10 of this Code and for which a building permit application and an application for environmental review have been filed with the Department of City Planning prior to October 11, 1984.
- (2) The amendments of this Code contained in Ordinance shall not apply to:
  - (A) Integrated development projects involving the substantial rehabilitation and adaptive reuse of buildings designated as landmarks by the Board of Supervisors pursuant to Article 10 of this Code and for which a building permit application and an application for environmental review have been filed with the Department of City Planning prior to October 11, 1984. "Integrated development" means a project involving several buildings which are integrated with rehabilitation of a landmark designated pursuant to Article 10 of this Code and which are located on sites that, but for separations by a street or alley, are adjacent to such landmark; or



(B) Projects for the relocation, substantial rehabilitation and adaptive reuse of buildings designated as landmarks by the Board of Supervisors pursuant to Article 10 of this Code and for which an application for a certificate of appropriateness to demolish or relocate and an application for environmental review have been filed with the Department of City Planning prior to October 11, 1984.

(b) Conditional Use Requirement. Applications for a permit authorizing a project covered by section (a) may be approved only as a conditional use. In addition to the criteria set forth in Planning Code Section 303, the City Planning Commission shall consider the provisions of Ordinance insofar as they govern:

- (A) Density, height, bulk and setbacks;
- (B) Offstreet loading facilities;
- (C) Building appearance;
- (D) Open space;
- (E) Sunlight access;
- (F) Pedestrian circulation;
- (G) Streetscape.

#### SEC. 175.3. DEMOLITION OR ALTERATION OF BUILDINGS.

(a) No building older than 40 years old located in the C-3 district shall be demolished or substantially altered without a conditional use permit, unless the Superintendent of the Bureau of Building Inspection or the Chief of the Bureau of Fire Prevention and Public Safety determines that the building is unsafe or dangerous and that demolition is the only feasible means to secure the public safety.

(b) When considering whether to grant a permit for demolition or alteration, in lieu of the criteria set forth in Planning Code Section 303, consideration shall be given to the purposes and objectives set forth in Article 11 of the proposed amendments to the City Planning Code implementing the Downtown Plan, initiated by City Planning Commission Resolution No. \_\_\_\_.

(c) No department or official shall approve or issue a permit authorizing the demolition or substantial alteration of any building governed by this section unless the required conditional use permit has been granted.

(d) The Zoning Administrator shall determine whether an alteration is substantial. Any alteration shall be deemed substantial if any of the following apply:

(1) The alteration will substantially change, obscure or destroy exterior character-defining spaces, materials, features or finishes; or

(2) The alteration would affect all of any substantial part of a building's structural elements, exterior walls or exterior ornamentation; or

(3) The alteration occurs by virtue of construction which results in a substantial addition or height above the height of the building.

In determining whether an alteration is substantial, greater latitude shall be given to alteration of the ground floor entry and window display areas designed to meet the business needs of commercial tenants.

(e) The Zoning Administrator shall notify the applicant and any individuals or organizations who request that such notice be directed to them of the determination as to the category of the proposed alteration. Decisions of the Zoning Administrator may be appealed to the Board of Permit Appeals within 10 days in the manner provided in Section 308.2.

(f) Applications determined to be for non-substantial alterations shall be returned, with that determination noted, to the Central Permit Bureau for further processing.

SEC. 175.4. EFFECTIVE DATE OF INTERIM CONTROLS. The provisions of this ordinance shall not take effect prior to December 1, 1984, provided, however, that the provisions of Section 309 shall not take effect prior to January 1, 1985, in order to allow time for an orderly transition to the new procedures of that section.



[Sec. 176-183 are unchanged]

**SEC. 184. SHORT-TERM CONTINUANCE OF CERTAIN NON-CONFORMING USES.** The period of time during which the following nonconforming uses may continue or remain shall be limited to five years from the effective date of this Code (May 2, 1960), or of the amendment thereto which caused the use to be nonconforming. Every such nonconforming use shall be completely eliminated within 90 days after the expiration of such period.

(a) Any nonconforming commercial or industrial use of land where no enclosed building is involved in such use/

, except for permanent off-street parking lots in the C-3-0, C-3-R and C-3-G districts existing on the effective date of Ordinance No. \_\_\_\_, provided that such lots are screened in the manner required by Section 156(e).

(b) Any use of a type first permitted as a principal or conditional use in a C or M district or in a Residential-Commercial Combined district, when occupying a building in an R district other than a Residential-Commercial Combined district that has an assessed valuation not in excess of \$500 on the effective date of this Code or such later date as the use becomes nonconforming, with the following exceptions:

1. Any lawful use in this category in a building having an assessed valuation of \$250 or more on the effective date of this Code, or such later date as the use becomes nonconforming, shall have a period of permitted continuance of 10 years from the date at which the property was placed in a Residential zoning classification, if such a period of continuance produces an expiration date which is later than the expiration date stated above; or

2. Any lawful use in this category which is of a type first permitted in a C-1 district; or of a type first permitted in any other district and supplying commodities at retail, or offering personal services, primarily to residents of the immediate vicinity; shall have a period of permitted continuance of 10 years

from the effective date of this Code, or of the amendment thereto which caused the use to be nonconforming. After five years of such period have elapsed, any use as described in this Paragraph (b)2 shall, upon application, be qualified for consideration by the City Planning Commission as a conditional use as regulated in Section 303 of this Code.

[Sections 185-189 are unchanged.]

## ARTICLE 2

# USE DISTRICTS

[§§ 201-210.2 are unchanged]

Sec. 210.3. C-3 Districts: Downtown Commercial. Downtown San Francisco, a center for city, regional, national and international commerce, is composed of four separate districts, as follows:

### C-3-O District: Downtown Office.

This district, playing a leading national role in finance, corporate headquarters and service industries, and serving as an employment center for the region, consists primarily of high quality office development. The intensity of building development is the greatest in the city, resulting in a notable skyline symbolizing the area's strength and vitality. The district is served by city and regional transit reaching its central portions and by automobile parking at peripheral locations. Intensity and compactness permit face-to-face business contacts to be made conveniently by travel on foot. Office development is supported by some related retail and service uses within the area, with unrelated uses excluded in order to conserve the supply of land in the core and its expansion areas for further development of major office buildings. Certain desirable building features are encouraged by means of development bonuses.

### C-3-R District: Downtown Retail.

This district is a regional center for comparison shopper retailing and direct consumer services. It covers a compact area with a distinctive urban character, consists of uses with cumulative customer attraction and compatibility, and is easily traversed by foot. Like the adjacent Downtown Office district, this district is well served by city and regional transit, with automobile parking best located at its periphery. Within the district, continuity of retail and consumer service uses is emphasized, with encouragement of pedestrian interest and amenities and minimization of conflicts between shoppers and motor vehicles. A further merging of this district with adjacent, related districts is anticipated, partially through development of buildings which combine retailing with other functions.

### C-3-G District: Downtown General Commercial.

This district covers the northern and western portions of downtown and is composed of a variety of uses: retail, offices,

hotels, entertainment, clubs and institutions, and high-density residential. Many of these uses have a city-wide or regional function, although the intensity of development is lower here than in the downtown core area. As in the case of other downtown districts, no off-street parking is required for individual commercial buildings, but in portions of this district automobile parking is a major land use, serving this district and the adjacent office and retail core areas. In the vicinity of Market Street, the configuration of this district reflects easy accessibility by rapid transit.

### C-3-S District: Downtown Support.

This district exists primarily to accommodate near the intensive downtown core areas important supporting functions such as wholesaling, printing, building services, secondary office space and parking.

It also contains unique housing resources.

Motor vehicle access from freeway ramps to this district is good, and truck and automobile traffic is heavy, at the same time, the district is within walking distance of rapid transit on Market Street. In its eastern portion, the district also serves in part as an expansion area for offices, at a lesser intensity than in the Downtown Office district. The district has for the most part been underdeveloped in the past, and opportunities exist for major developments of new uses covering substantial areas.

[Sections 210.4 - 210.6 are unchanged.]

SEC. 212. ADDITIONAL REQUIREMENTS FOR USES IN CERTAIN C AND M DISTRICTS. In the following C and M districts, the permitted uses indicated in Sections 215 through 227 shall be subject to the additional requirements contained in this Section 212.

(a) In C-1 and C-2 districts, all permitted uses, and all storage, servicing, fabricating, processing or repair uses accessory thereto, shall be conducted within enclosed buildings, with the exceptions of those uses indicated by an asterisk (\*) in the column for the district, and with the exception, also, of the following accessory uses where permitted:

1. Accessory off-street parking and loading areas.
2. Accessory outdoor dining areas.
3. Accessory recreation areas.

(b) In C-1, C-3-O, C-3-R and C-3-G districts, no permitted use shall include an establishment of the "drive-in" type, serving



customers waiting in parked motor vehicles, with the exception of automobile service stations and automobile washes where permitted.

(c) In the C-3-R district, along any block frontage that is entirely within such district or partly in such district and partly in the C-3-O district, where such block frontage faces a street 40 feet or more in width, the following requirements shall apply to assure continuity of retail and consumer service uses:

1. Only those permitted uses listed in Sections 218 and 227 shall be located facing such street in the ground story of any building. At least one-half the total width of any new or reconstructed building, parallel to and facing such street, shall be devoted at the ground story to entrances, show windows or other displays of such uses.

2. All other permitted uses shall be located either on stories above or below the ground story or at a distance of not less than 20 feet behind the front of the building at the ground story. No more than one-third the width of any lot, parallel to and facing such street, shall be devoted to entrances to such other permitted uses.

(d) No use listed as permitted in any C district or M-1 district shall include any use that is hazardous, noxious or offensive for reasons described in Section 202(c) of this Code.

(e) In C-3 districts, all demolitions of residential buildings and all conversions to non-residential use of residential uses above the ground floor shall be permitted only if authorized as a conditional use under Section 303 of this Code, unless the Superintendent of the Bureau of Building Inspection or the Chief of the Bureau of Fire Prevention and Public Safety determines that the building is unsafe or dangerous and that demolition is the only feasible means to secure the public safety. When considering whether to grant a conditional use permit for the demolition or conversion, in lieu of the criteria set forth in Planning Code Section 303, consideration shall be given to the adverse impact on the public health, safety and general welfare of the loss of housing stock in the district and to any unreasonable hardship to the applicant if the permit is denied.

(Section 213 is unchanged)

## SEC. 215. DWELLINGS.

(a) Dwelling at a density ratio not exceeding the number of dwelling units permitted in the nearest R district, with the distance to such R district measured from the mid-point of the front lot line or from a point directly across the street therefrom, whichever permits the greater density; provided, that the maximum density ratio in a C-1, C-2, M-1 or M-2 district shall in no case be less than for an RM-1 district, the maximum density ratio in a C-3 or C-M district shall in no case be less than for an RM-4 district, and the maximum density ratio in a C-3 district shall in no case be less than one dwelling unit for each 125 square feet of lot area. The rules for calculation of dwelling unit densities set forth in Section 207.1 of this Code shall apply in C and M districts, except that any remaining fraction of one-half or more of the minimum amount of lot area per dwelling unit shall be adjusted upward to the next higher whole number of dwelling units.

(b) Dwelling at a density ratio greater than that set forth in Subsection (a), to be determined by the City Planning Commission pursuant to Sec. 303(c) of this Code.

(c) Mobile home park for house trailers, motor homes, campers and similar vehicles or structures used for dwelling purposes. Each vehicle or structure in any such park shall be regulated by this Code in the same manner as a dwelling unit.

C-1	C-2	C-3-O	C-3-R	C-3-G	C-3-S	CM	M-1	M-2
P	P	P	P	P	P	C	C	C
		C	C	C	C			
						C	C	C

C-1	C-2	C-3.0	C-3.2	C-3.6	C-3.8	CM	AA-1	AA-2
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[illegible]

A number line with points labeled A, B, C, D, and E. The points are evenly spaced, with A at the left end and E at the right end. There are 10 equal intervals between the points.

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P	P	P	P	P	P	P	C	C
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P	P	C	C	P	P	P	C	C
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[illegible]

11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1041 1042 1043 1044 10

P P P P C C

## SEC. 219. OFFICES.

[illegible]

C- 1	C- 2	C- 3	C- 3	C- 3	C- 3	C M	M- 1	M- 2
P	P	P	P	P	P	P	P	P

P	P	P	P	P	P	P	P	P

P	P	P	<u>C</u>	P	P	P	P	P
P	P	P	P	P	P	P	P	P

P	P	P	C	P	P	P	P	P
P	P	C		C	C	P	P	P



**SEC. 223. AUTOMOTIVE.**

(a) Sale or rental of new or used automobiles, when conducted entirely within an enclosed building.

(b) Sale or rental of new or used trucks, when conducted entirely within an enclosed building.

(c) Lot for sale or rental of new or used automobiles.

(d) Lot for sale or rental of new or used trucks.

(e) Sale or rental of new or used automobile trailers.

(f) Automobile service station for the sale and dispensing of gasoline, other motor fuels and lubricating oil directly into motor vehicles. The following activities shall be permitted at such a service station if normally conducted entirely within an enclosed building having no openings other than fixed windows or exits required by law within 50 feet of any R district:

1. The sale and dispensing of greases and brake fluids, including motor vehicle lubrication; and the sale or installation of tires, batteries and other accessories;

2. Miscellaneous minor servicing and adjusting, which may include brakes, electrical equipment, fan belt, head lamps, spark plugs, air filter, distributor points, carburetor, and generator charging rate;

3. Installation of lamp globes, spark plugs, oil filter or filtering element, windshield wiper blades and motors, radiator hose (without removal of radiator or water pump), battery cables and fan belt;

4. The servicing and repairing of tires and batteries;

5. The installation and servicing of engine control devices; and

6. Automobile washing and polishing of an incidental nature, when per-

C-1	C-2	C-3-0	C-3-8	C-3-0	C-3-8	C-4	M-1	M-2
	P	P	P	P	P	P	P	P
				P	P		P	P
	C°			C	C	P	P	P
	C°			C	C	P	P	P
	C°			C	C	P	P	P
P°	NA			NA	NA	NA	NA	NA





[Sections 224 - 226 are unchanged]

#### SEC. 227. OTHER USES.

- (a) Greenhouse or plant nursery.
- (b) Truck gardening, horticulture.
- (c) Mortuary establishment.
- (d) Public structure or use of a non-industrial character, when in conformity with the Master Plan. Such structure or use shall not include a storage yard, incinerator, machine shop, garage or similar use.
- (e) Utility installation, public service facility, excluding service yard; provided that operating requirements necessitate location within the district.
- (f) Railroad facility, other than as described in Section 226.
- (g) Landing facility for aircraft.
- (h) Wireless transmission facility.
- (i) Sale or lease sign, as defined and regulated by Article 6 of this Code.
- (j) General advertising sign, as defined and regulated by Article 6 of this Code.
- (k) Access driveway to property in any C or M district.
- (l) Planned Unit Development, as defined and regulated by Section 304 and other applicable provisions of this Code.
- (m) Any use that is permitted as a principal use in any other C or M district, without limitation as to enclosure within a building, wall or fence.
- (n) Temporary uses, as specified in and regulated by Sections 205 through 205.2 of this Code.

C-1	C-2	C-3-0	C-3-1	C-3-2	C-3-3	CM	M-1	M-2
P*	P*				P	P	P	P
P*	P*					P	P	P
	C			C	C	P	P	P
P	P	P	P	P	P	P	P	P
P*	P*	C	C	P	P	P	P	P
C*	C*	C	C	C	C	C	P	P
C*	C*	C	C	C	C	C	C	C
C*	C*	C	C	C	C	C	P	P
P*	P*	P	P	P	P	P	P	P
P*	P*	P	P	P	P	P	P	P
P*	P*	P	P	P	P	P	P	P
C	C	<del>C</del>	<del>C</del>	<del>C</del>	<del>C</del>	C	C	C
								P
SEE SECTIONS 205 THROUGH 205.2								

[Sections 224 - 234.2 are unchanged]

**SEC. 235. SPECIAL USE DISTRICTS.** In addition to the use districts that are established by Section 201 of this Code, there shall also be in the city such special use districts as are established in this section and Sections 236-240.3, in order to carry out further the purposes of this Code. The designations, locations and boundaries of these special use districts shall be as provided in Sections 236-240.3 and as shown on the Zoning Map referred to in Section 105 of this Code, subject to the provisions of Section 105. The original of the numbered sectional maps of the Zoning Map for Special Use Districts referred to in Sections 236-240.3 is on file with the Clerk of the Board of Supervisors under File No. 191-67-2. In any special use district the provisions of the applicable use district established by Section 201 shall prevail, except as specifically provided in Sections 236-240.3, 247.

[Sections 236 - 247 are unchanged]

#### SEC. 248 DOWNTOWN OFFICE SPECIAL DEVELOPMENT DISTRICT

(a) Purpose. In order to provide for an orderly expansion of the financial district in a way that will maintain a compact downtown core, and to create an area in which to direct unused development potential of lots containing Significant or certain Contributory buildings, there shall be a special use district known as the Downtown Office Special Development District (also referred to as the C-3-0 (SD) District) as designated on Sectional Map No. 1 of the Zoning Map. Development at densities above the base floor area ratio in this area is appropriate only if there is a commensurate reduction in the allowable density of development on other sites in the downtown by the transfer of development rights from

eligible sites as provided in Section 128.

(b) Requirements. The basic floor area ratio within the C-3-0 Special Development District shall be 6.0 to 1. All other provisions of this Code applicable to the C-3-0 district shall apply in the Downtown Office Special Development District.

SEC. 249 MID-SOUTH OF MARKET SPECIAL USE DISTRICT.

There shall be a special use district known as the South of Market Special Use District, as designated on Sectional Map No. ISUC of the Zoning Map, in which all the provisions of this Code governing the C-3-S district shall apply, except that the basic floor area ratio limit for any office use shall be 2.0 to 1, which limit may not be exceeded through transfer of TDR as otherwise allowed by Section 128. This limit on floor area ratio is the same as that imposed as part of the Interim South of Market Industrial and Housing Conservation Special Use District, as provided in Section 246 of this Code, which District is currently under study by the Department of City Planning. The adoption of this Section is not intended to repeal, modify, or supersede the provisions of Section 246.



## ARTICLE 2.5

# HEIGHT AND BULK DISTRICTS

[Sections 250-253 are unchanged.]

**SEC. 260. HEIGHT LIMITS: MEASUREMENT.** (a) Method of measurement. The limits upon the height of buildings and structures shall be as specified on the Zoning Map. In the measurement of height for purposes of such limits, the following rules shall be applicable:

1. The point above which such measurement shall be taken shall be as specified in the definition of "height" in this Code.

2. The upper point to which such measurement shall be taken shall be the highest point on the finished roof in the case of a flat roof, and the average height of the rise in the case of a pitched or stepped roof, or similarly

sculptured roof form or any higher point of a feature not exempted under Subsection (b) below.

3. In cases where the height limit is 65 feet or less and a street from which height measurements are made slopes laterally along the lot, or the ground slopes laterally on a lot that also slopes upward from the street, there shall be a maximum width for the portion of the building or structure that may be measured from a single point at curb or ground level, according to the definition of "height", as specified in the following table. These requirements shall not apply to any property to which the bulk limitations in Section 270 of this Code are applicable.

**TABLE 6**

Height Measurement on Lateral Slopes  
Where Height Limit is 65 Feet or Less

Average Slope of Curb or Ground From Which Height is Measured	Maximum Width for Portion of Building that May be Measured from a Single Point
5 per cent or less	No requirement
More than 5 per cent but no more than 15 per cent	65 feet
More than 15 per cent but no more than 20 per cent	55 feet
More than 20 per cent but no more than 25 per cent	45 feet
More than 25 per cent	35 feet

## (b) Exemptions.

In addition to other height exceptions permitted by this Code, ~~The~~ features listed in this subsection shall be exempt from the height limits established by this Code, in an amount up to but not exceeding that which is specified.

1. The following features shall be exempt; provided the limitations indicated for each are observed; provided further that the sum of the horizontal areas of all features listed in this Paragraph (b)1 shall not exceed 20 per cent of the horizontal area of the roof above which they are situated;

or where the top of the building has been separated into a number of stepped elements to reduce the bulk of the upper tower, the total of all roof areas,

and provided further that in any R district the sum of the horizontal areas of all such features located within the first 10 feet of depth of the building, as measured from the front wall of the building, shall not exceed 20 per cent of the horizontal area of the roof in such first 10 feet of depth.

As an alternative, the sum of the horizontal areas of all features listed in this Paragraph (b)1 may equal but not exceed 20 per cent of the horizontal area permitted for buildings and structures under any bulk limitations in Section 270 of this Code applicable to the subject property.

Any such sum of 20 per cent heretofore described may be increased to 30 per cent by unroofed screening designed either to obscure the features listed under (A) and (B) below or to provide a more balanced and graceful silhouette for the top of the building or structure.

(A) Mechanical equipment and appurtenances necessary to the operation or maintenance of the building or structure itself, including chimneys, ventilators, plumbing vent stacks, cooling towers, water tanks, panels or devices for the collection of solar or wind energy and window washing equipment, together with visual screening for any such features. This exemption shall be limited to the top 10 feet of such features where the height limit is 65 feet or less, and the top 16 feet of such features where the height limit is more than 65 feet.

(B) Elevator, stair and mechanical penthouses, fire towers, skylights and dormer windows. This exemption shall be limited to the top 10 feet of such features where the height limit is 65 feet or less, and the top 16 feet of such features where the height limit is more than 65 feet.

(C) Stage and scenery lofts.

(D) Ornamental and symbolic features of public and religious buildings and structures, including towers, spires, cupolas, belfries and domes, where such features are not used for human occupancy.

- (E) In any C-3 district, enclosed space related to the recreational use of the roof, not to exceed 16 feet in height.
- (F) In any C-3 district, additional building volume used to enclose or screen from view the features listed under (b)1(A) and (B) above. The rooftop form created by the added volume shall not be subject to the percentage coverage limitations otherwise applicable to this subsection but shall meet the requirements of Section 141 and shall not exceed twenty feet in height, measured as provided in subsection (a) above, and may not exceed a total volume, including the volume of the features being enclosed, equal to three-fourths of the horizontal area of all roof areas of the building measured before the addition of any exempt features times twenty.
- (G) In any C-3 district, vertical extensions to buildings, such as spires, which enhance the visual appearance of the structure and are not used for human occupancy may be allowed, pursuant to the provisions of Section 309, up to 75 feet above the height otherwise allowed. The extension shall not be subject to the percentage coverage limitations otherwise applicable to this subsection, provided that the extension is less than 100 square feet in cross section and 18 feet in diagonal dimension.

2 The following features shall be exempt, without regard to their horizontal area, provided the limitations indicated for each are observed.

(A) Railings, parapets and catwalks, with a maximum height of four feet.

(B) Open railings, catwalks and fire escapes required by law, wherever situated.

(C) Unroofed recreation facilities with open fencing, including tennis and basketball courts at roof level, swimming pools with a maximum height of four feet and play equipment with a maximum height of 10 feet.

(D) Unenclosed seating areas limited to tables, chairs and benches, and related wind screens, lattices and sunshades with a maximum height of 10 feet.

(E) Landscaping, with a maximum height of four feet for all features other than plant materials.

(F) Short-term parking of passenger automobiles, without additional structures or equipment other than trellises or similar overhead screening for such automobiles with a maximum height of eight feet.

(G) Amusement parks, carnivals and circuses, where otherwise permitted as temporary uses.

(H) Flag poles and flags, clothes poles and clothes lines, and weather vanes.

(I) Radio and television antennas where permitted as accessory uses and towers and antennas for sending or receiving of radio and television signals where permitted as principal or conditional uses by this Code.

(J) Warning and navigation signals and beacons, light standards and similar devices, not including any sign regulated by this Code.

(K) Public monuments owned by government agencies.

(L) Cranes, scaffolding and batch plants erected temporarily at active construction sites.

(M) Structures and equipment necessary for the operation of industrial plants, transportation facilities, public utilities and government installations, where otherwise permitted by this Code and where such structures and equipment do not contain separate floors.

(N) Buildings, structures, and equipment of the San Francisco Port Commission, where not subject to this Code due to provisions of the San Francisco Charter or State law.

[Sections 261-263.3 are unchanged.]



**SEC. 263.6 EXCEPTIONS TO HEIGHT LIMITS IN 80-130F AND 80-130X HEIGHT AND BULK DISTRICTS.**

(a) In the 80-130F and 80-130X height and bulk district as designated on Sectional Map No. 1H of the Zoning Map, exceptions to the 80 foot height limit up to 130 feet may be approved in appropriate cases in accordance with the provisions of Section 309. The purpose of allowing additional height above 80 feet only as an exception is to ensure that height above 80 feet will not adversely affect the scale of the affected area or block sunlight access to public sidewalks and parks.

(b) Such height exceptions may be permitted provided that:

1. The height of the building or structure does not exceed 130 feet.
2. The additional height will not add significant shadows on public sidewalks and parks.
3. The structure provides an appropriate transition to adjacent higher or lower buildings.
4. The additional height of the structure is set back an appropriate distance from the street frontage to maintain continuity of the predominant streetwall on the block.

**SEC. 263.7. HEIGHT LIMITS: SPECIAL EXCEPTIONS FOR UPPER TOWER EXTENSIONS IN S DISTRICTS.**

(a) In S districts, additional height up to 10% of the heights shown on Maps 1H, 2H and 7H of the Zoning map may be allowed as an extension of the

upper tower provided that the volume of the upper tower as extended is reduced by the percentage shown in Chart B of Section 270(c) of this Code.

(b) This additional height may be allowed pursuant to the provisions of Section 309 only to the extent it is determined that the upper tower volume is distributed in a way that will add significantly to the sense of slenderness of the building and to the visual interest to the termination of the building, and that the added height will improve the appearance of the skyline when viewed from a distance, will not adversely affect light and air to adjacent properties, and will not add significant shadows to public open spaces.

**SEC. 263.8 SPECIAL EXCEPTIONS: 200-400 S SPECIAL HEIGHT AND BULK DISTRICT.** In the 200-400 S special height district as designated for a portion of Assessors Block 3737 on Sectional Map No. 1H of the Zoning Map, heights up to 400 feet may be approved in the manner provided for exceptions in Section 309 if the open space requirements generated by developments in the special height district are aggregated to create on Assessors Block 3737 a privately owned and maintained urban park, as provided in Section 138, or another type of open space allowed by Section 138 if the standards for an urban park cannot be met because of shadows cast by buildings on other blocks.

**SEC. 270. BULK LIMITS: MEASUREMENT.** (a) The limits upon the bulk of buildings and structures shall be as stated in this section and in Section 271. The terms "height", "plan dimensions", "length" and "diagonal dimensions" shall be as defined in this Code. In each height and bulk district, the maximum plan dimensions shall be as specified in the following table, at all horizontal cross-sections above the height indicated.

**TABLE 7**  
**Bulk Limits**

District Symbol on Zoning Map	Height Above Which Maximum Dimensions Apply (in feet)	Maximum Plan Dimensions (in feet)	
		Length	Diagonal Dimension
A	40	110	125
B	50	110	125
C	80	110	125
D	40	110	140
E	65	110	140
F	80	110	140
G	80	170	200
H	100	170	200
I	150	170	200
J	40	250	300
K	60	250	300
L	80	250	300
M	100	250	300

OS See Section 290.

S This table not applicable. But see Section 270(d)

X This table not applicable. But see Section 260(a)3.

(b) These limits shall not apply to the buildings, structures and equipment listed in Section 260(b)2(K), (L), (M) and (N) of this Code, subject to the limitations expressed therein.

(c) Maximum plan lengths and diagonal dimensions do not apply to cornices or other decorative projections.

(d) The bulk limits contained in this subsection shall apply in S Bulk Districts as designated on Sectional Map No. 1H of the Zoning Map.

(1) Base. The base is the lowest portion of the building extending vertically to a streetwall height up to 1.25 times the width of the widest abutting street or 50 feet whichever is more. There are no length or diagonal dimension limitations applicable to the base. The building base shall be delineated from the lower

and upper tower and related to abutting buildings by a setback, cornice line or equivalent projection or other appropriate means.

## (2) Lower Tower.

(A) Dimensions. Bulk controls for the lower tower apply to that portion of the building height above the base as shown on BULK Control Zone Chart A. For buildings of less than 160 feet in height, the lower tower controls are the only bulk controls above the base of the building. The bulk controls for the lower tower are a maximum length of 160 feet, a maximum average floor size of 20,000 square feet, and a maximum average diagonal dimension of 200 feet.

## (B) Additional Bulk for Elevators

Solely in order to accommodate additional elevators required by tall buildings the lower portion (up to the height shown on Chart B) of the lower tower of a building 500 feet tall or taller may be enlarged up to a maximum length of 190 feet, a maximum diagonal dimension of 230 feet and a maximum floor size of up to 25,000 square feet without a corresponding reduction in upper floor size.

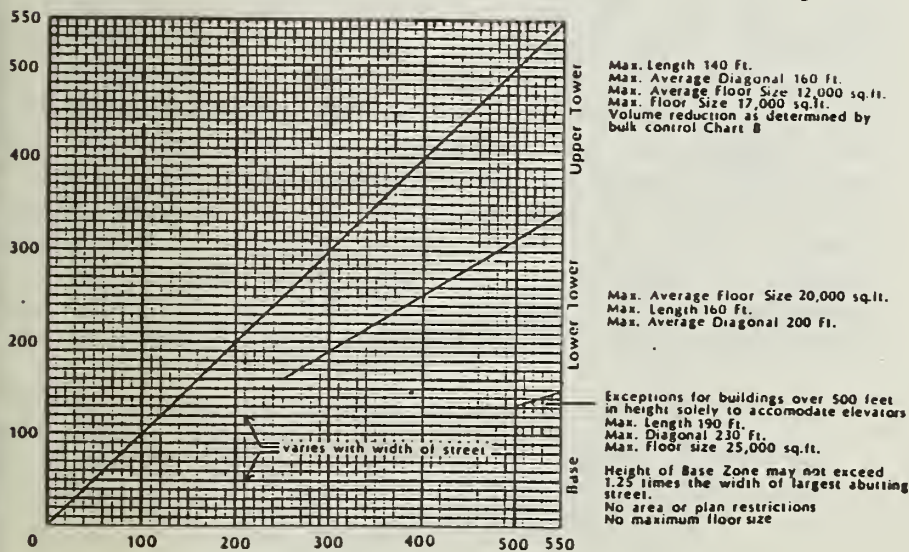
## (3) Upper Tower

(A) Dimensions. Upper tower bulk controls apply to buildings taller than 160 feet. They apply to the upper tower portion of a building up to a height



shown on Chart B which height excludes the vertical attachment and other features exempted by Section 260 and excludes the extended upper tower height exceptions provided for in Section 263.7 of this Code. The bulk controls for the upper tower are: a maximum length of 140 feet; a maximum average floor size of 12,000 square feet; a maximum floor size for any floor of 17,000 square feet; and a maximum average diagonal measure of 160 feet. In determining the average floor size of the upper tower, areas with a cross sectional area of less than 4,000 square feet may not be counted and sculptured architectural forms that contain large volumes of space but no usable floors shall be included in average floor size calculation by computing the cross section at 12.5 foot intervals.

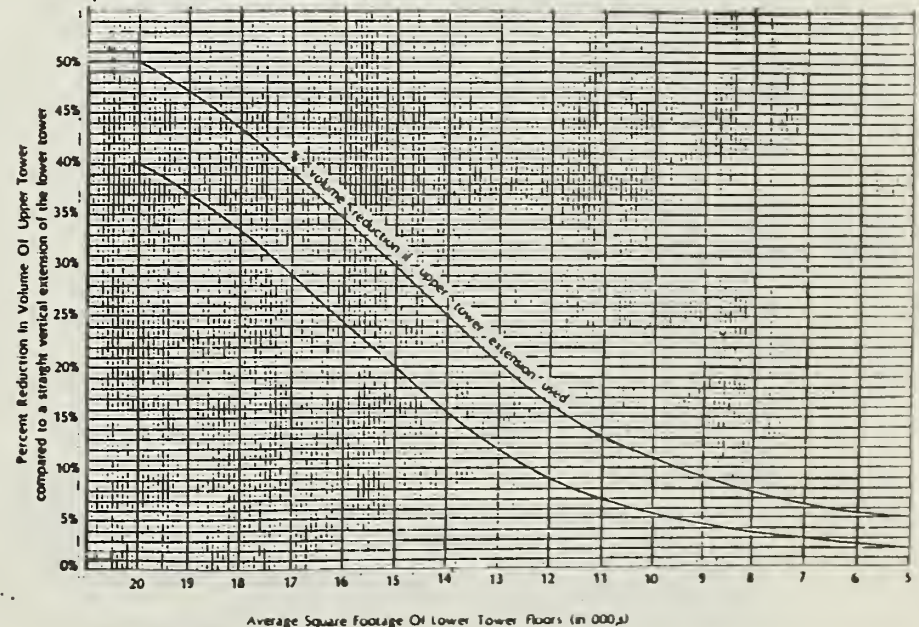
**CHART B**  
BULK LIMITS



Actual Building Height In Feet  
Features Excluded By § 260 (b)

(B) Volume Reduction. When the average floor size of the lower tower exceeds 5,000 square feet, the volume of the upper tower shall be reduced to a percentage of the volume that would occur if the average floor size of the lower tower were extended to the proposed building height. The percentage varies with the bulk of the lower tower and with whether or not a height extension is employed pursuant to Section 263.5 and is shown on Chart C. In achieving the required volume reduction, a setback or change in profile at a specific elevation is not required.

**CHART C** BULK CONTROL  
UPPER TOWER VOLUME REDUCTION





(C) Extensions. Extensions of the Upper Tower above the otherwise allowable height limits may be permitted as provided in Section 263.5.

(D) Termination of the Tower. The top of the tower shall be massed in a manner that will create a visually distinctive roof or other termination of the building facade. Modifications to a proposed project may be required, in the manner provided in Section 309, to achieve this purpose.

#### SEC. 271. BULK LIMITS: SPECIAL EXCEPTIONS, IN DISTRICTS OTHER THAN C-3

(a) General. The bulk limits prescribed by Section 270 have been carefully considered in relation to objectives and policies for conservation and change in San Francisco. There may be some exceptional cases in which these limits may properly be permitted to be exceeded to a certain degree, however, following public review and exploration of alternatives, provided there are adequate compensating factors. Such deviation might occur, when the criteria of this Section are met, for one or both of the following positive reasons:

1. Achievement of a distinctly better design, in both a public and a private sense, than would be possible with strict adherence to the bulk limits, avoiding an unnecessary prescription of building form while carrying out the intent of the bulk limits and the principles and policies of the Master Plan.

2. Development of a building or structure with widespread public service benefits and significance to the community at large, where compelling functional requirements of the specific building or structure make necessary such a deviation.

(b) Procedures. Deviations from the bulk limits under this section shall be permitted only upon approval by the City Planning Commission according to the procedures for conditional use approval in Section 303 of this Code.

(c) Criteria. In acting upon any application for a conditional use to permit the bulk limits to be exceeded under this section, the City Planning Commission shall consider the following standards and criteria in addition to those stated in Section 303(c) of this Code:

1. The appearance of bulk in the building, structure or development shall be reduced by means of at least one and preferably a combination of the following factors, so as to produce the impression of an aggregate of parts rather than a single building mass:

(A) Major variations in the planes of wall surfaces, in

either depth or direction, that significantly alter the mass;

(B) Significant differences in the heights of various portions of the building, structure or development that divide the mass into distinct elements;

(C) Differences in materials, colors or scales of the facades that produce separate major elements;

(D) Compensation for those portions of the building, structure or development that may exceed the bulk limits by corresponding reduction of other portions below the maximum bulk permitted; and

(E) In cases where two or more buildings, structures or towers are contained within a single development, a wide separation between such buildings, structures or towers.

2. In every case the building, structure or development shall be made compatible with the character and development of the surrounding area by means of all of the following factors:

(A) A silhouette harmonious with natural land forms and building patterns, including the patterns produced by height limits;

(B) Either maintenance of an overall height similar to that of surrounding development or a sensitive transition, where appropriate, to development of a dissimilar character;

(C) Use of materials, colors and scales either similar to or harmonizing with those of nearby development; and

(D) Preservation or enhancement of the pedestrian environment by maintenance of pleasant scale and visual interest.

3. While the above factors must be present to a considerable degree for any bulk limit to be exceeded, these factors must be present to a greater degree where both the maximum length and the maximum diagonal dimension are to be exceeded than where only one maximum dimension is to be exceeded.

SEC. 272 BULK LIMITS: SPECIAL EXCEPTIONS IN C-3 DISTRICTS. (a) General. The bulk limits prescribed by Section 270 have been carefully considered in relation to objectives and policies for conservation and change in C-3 districts. There may be some exceptional cases in which these limits may properly be permitted to be exceeded to a certain degree however, provided there are adequate compensating factors. Exceptions to the bulk limits may be approved in the manner provided in Section 309, provided at least one of the following criteria is met:

1. Achievement of a distinctly better design, in both a public and a private sense, than would be possible with strict adherence to the bulk limits, avoiding an unnecessary prescription of building form while carrying



out the intent of the bulk limits and the principles and policies of the Master Plan;

2. Development of a building or structure with widespread public service benefits and significance to the community at large, where compelling functional requirements of the specific building or structure make necessary such a deviation;

provided further that all of the following criteria are met:

1. The added bulk does not contribute significantly to shading of publicly accessible open space.
2. The added bulk does not significantly increase ground level wind currents in violation of the provisions of Section 148 of this Code.
3. The added bulk does not significantly affect light and air to adjacent buildings.
4. If appropriate to the massing of the building, the appearance of bulk in the building, structure or development is reduced to the extent feasible by means of at least one and preferably a combination of the following factors, so as to produce the impression of an aggregate of parts rather than a single building mass:
  - (A) Major variations in the planes of wall surfaces, in either depth or direction, that significantly alter the mass;
  - (B) Significant differences in the heights of various portions of the building, structure or development that divide the mass into distinct elements;

(C) Differences in materials, colors or scales of the facades that produce separate major elements;

(D) Compensation for those portions of the building, structure or development that may exceed the bulk limits by corresponding reduction of other portions below the maximum bulk permitted; and

(E) In cases where two or more buildings, structures or towers are contained within a single development, a wide separation between such buildings, structures or towers.

5. The building, structure or development is made compatible with the character and development of the surrounding area by means of all of the following factors:

(A) A silhouette harmonious with natural land forms and building patterns, including the patterns produced by height limits;

(B) Either maintenance of an overall height similar to that of surrounding development or a sensitive transition, where appropriate, to development of a dissimilar character;

(C) Use of materials, colors and scales either similar to or harmonizing with those of nearby development; and

(D) Preservation or enhancement of the pedestrian environment by maintenance of pleasant scale and visual interest.

Exceptions to bulk limits shall not result in a building of greater total gross floor area than would be permitted if the bulk limits were met.

[Section 290 is unchanged.]

SEC. 295 HEIGHT RESTRICTIONS ON STRUCTURES SHADOWING  
PROPERTY UNDER THE JURISDICTION OF THE  
RECREATION AND PARK COMMISSION.

(a) No building permit authorizing the construction of any structure that will cast any shade or shadow upon any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission may be issued except upon prior action of the City Planning Commission pursuant to the provisions of this section; provided, however, that the provisions of this section shall not apply to building permits authorizing:

1. Structures which do not exceed 40 feet in height;
2. Structures which cast a shade or shadow upon property under the jurisdiction of, or designated for acquisition by, the Recreation and Parks Commission only during the first hour after sunrise and/or the last hour before sunset;
3. Structures to be constructed on property under the jurisdiction of the Recreation and Park Commission for recreational and park-related purposes;
4. Structures of the same height and in the same location as structures in place on June 6, 1984;
5. Projects for which a building permit application has been filed and either (i) a public hearing has been held prior to March 5, 1984 on a draft environmental impact report published by the Department of City Planning, or (ii) a Negative Declaration has been published by the Department of City Planning prior to [date].

physical integration of new construction with rehabilitation of a building designated as historic either by the San Francisco Board of Supervisors as historical landmark or by the State Historic Preservation Officer as a State Historic Landmark, or placed by the United States Department of the Interior on the National Register of Historic Places and which are located on sites that, but for separation by a street or alley, are adjacent to such historic building.

(b) The City Planning Commission shall conduct a hearing and shall disapprove the issuance of any building permit governed by the provisions of this section if it finds that the proposed project will have any adverse impact on the use of the property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission because of the shading or shadowing that it will cause, unless it is determined that the impact would be insignificant. The City Planning Commission shall not make the determination required by the provisions of this subsection until the general manager of the Recreation and Park Department in consultation with the Recreation and Park Commission has had an opportunity to review and comment to the City Planning Commission upon the proposed project.

(c) The City Planning Commission and the Recreation and Park Commission, after a joint meeting, shall adopt criteria for the implementation of the provisions of this section.

(d) The zoning administrator shall determine which applications for building permits propose structures which will cast a shade or shadow upon property under the jurisdiction of, or designated



for acquisition by, the Recreation and Park Commission. As used in this section, "property designated for acquisition by the Recreation and Park Commission" shall mean property which a majority of each of the Recreation and Park Commission and the City Planning Commission meeting jointly, with the concurrence of the Board of Supervisors, have recommended for acquisition from the open space acquisition and park renovation fund which property is to be placed under the jurisdiction of the Recreation and Park Commission.

### ARTICLE 3

## ZONING PROCEDURES

[Section 301-303 are unchanged.]

#### SEC. 304. PLANNED UNIT DEVELOPMENTS.

In districts other than C-3, The City Planning Commission may authorize as conditional uses, in accordance with the provisions of Section 303, Planned Unit Developments subject to the further requirements and procedures of this section. After review of any proposed development, the City Planning Commission may authorize such development as submitted or may modify, alter, adjust or amend the plan before authorization, and in authorizing it may prescribe other conditions as provided in Section 303(d). The development as authorized shall be subject to all conditions so imposed and shall be excepted from other provisions of this Code only to the extent specified in the authorization.

(a) Objectives. The procedures for Planned Unit Developments are intended for projects on sites of considerable size, developed as integrated units and designed to produce an environment of stable and desirable character which will benefit the occupants, the neighborhood and the city as a whole. In cases of outstanding over-all design, complementary to the

design and values of the surrounding area, such a project may merit a well reasoned modification of certain of the provisions contained elsewhere in this Code.

(b) Nature of site. The tract or parcel of land involved must be either in one ownership, or the subject of an application filed jointly by the owners of all the property included or by the Redevelopment Agency of the City. It must constitute all or part of a Redevelopment Project Area, or if not must include an area of not less than 1/2 acre, exclusive of streets, alleys and other public property that will remain undeveloped.

(c) Application and plans. The application must describe the proposed development in detail, and must be accompanied by an over-all development plan showing, among other things, the use or uses, dimensions and locations of structures, parking spaces, and areas, if any, to be reserved for streets, open spaces and other public purposes. The application must include such pertinent information as may be necessary to a determination that the objectives of this section are met, and that the proposed development warrants the modification of provisions otherwise applicable under this Code.

(d) Criteria and limitations. The proposed development must meet the criteria applicable to conditional uses as stated in Section 303(c) and elsewhere in this Code. In addition, it shall:

1. Affirmatively promote applicable objectives and policies of the Master Plan;

2. Provide off-street parking adequate for the occupancy proposed;

3. Provide open space usable by the occupants and, where appropriate, by the general public, at least equal to the open spaces required by this Code;

4. Be limited in dwelling unit density to less than the density that would be allowed by Article 2 of this Code for a district permitting a greater density, so that the Planned Unit Development will not be substantially equivalent to a reclassification of property;

5. In R districts, include commercial uses only to the extent that such uses are necessary to serve residents of the immediate vicinity, subject to the limitations for RC districts under this Code; and

6. Under no circumstances be excepted from any height limit established by Article 2.5 of this Code, unless such exception is explicitly authorized by the terms of this Code. In the absence of such an explicit authorization, exceptions from the provisions of this Code with respect to height shall be confined to minor deviations from the provisions for measurement of height in Sections 260 and 261 of this Code, and no such deviation shall depart from the purposes or intent of those sections.

(Sections 304.5 - 353 are unchanged)

## SEC. 309. PERMIT REVIEW IN C-3 DISTRICTS

The provisions and procedures set forth in this section shall govern the review of building and site permit applications for the construction or substantial alteration of structures in C-3 districts and the granting of exceptions to certain requirements of this Code where the provisions of this Section are invoked. The categories of alterations deemed to be substantial shall be established by the City Planning Commission after a public hearing.

### (a) Exceptions.

Exceptions to the following provisions of this Code may be granted as provided in the code sections referred to below:

- (1) Exceptions to the setback and rear yard requirements as permitted in Sections 132.1 and 134(d).
- (2) Exceptions to the open space requirements as permitted in Section 138.
- (3) Exceptions to the ground level wind current requirements as permitted in Section 148.
- (4) Exceptions to the sunlight to public sidewalk requirement as permitted in Section 146.
- (5) Exceptions to the requirement of independently accessible parking spaces as permitted in Section 155(c).
- (6) Exceptions to the residential parking requirements as permitted in Section 161(c).
- (7) Exceptions to the freight loading and service vehicle space requirements as permitted in Section 161(h).

(8) Exceptions to the off-street tour bus loading spaces as permitted in Section 162.

(9) Exceptions to the height limits for vertical extensions as permitted in Section 260(b)1(G) and for upper tower extensions as permitted in Section 263.7.

(10) Exceptions to the height limits in the 80-130F and 80-130X height and bulk districts as permitted in Section 263.4 and in the 200-400S height and bulk district as permitted in Section 263.8.

(11) Exceptions to the bulk requirements as permitted in Sections 270 and 272.

A project applicant seeking an exception shall file an application on a form provided by the Zoning Administrator.

(b) Additional Requirements. In addition to the requirements set forth in this Code, additional requirements, through the imposition of conditions may be imposed on the following aspects of a proposed project in order to achieve the objectives and policies of the Master Plan or the purposes of this Code:

(1) building siting, orientation, massing and facade treatment, including proportion, scale, setbacks, materials, cornice, parapet and fenestration treatment, and design of building tops.

(2) aspects of the project affecting views and view corridors, shadowing of sidewalks and open spaces, openness of the street to the sky, ground level wind current, and maintenance of predominant streetwalls in the immediate vicinity.



(3) aspects of the project affecting traffic circulation and transit operation and loading points.

(4) aspects of the project affecting its energy consumption.

(5) aspects of the project related to pedestrian activity, such as placement of entrances, street scale, visual richness, location of retail uses, and pedestrian circulation, and location and design of open space features.

(6) aspects of the project affecting public spaces adjacent to the project, such as location and type of street trees and landscaping, sidewalk paving material, design and location of street furniture.

(7) aspects of the project relating to quality of the living environment of residential units, including housing unit size and the provisions of open space for residents.

(8) aspects of the design of the project which have significant adverse environmental consequences.

(9) other aspects of the development for which modifications are justified because of its unique or unusual location, environment, topography or other circumstances.

(c) Notice of Application for Building or Site Permit. After receipt of an application for a building or site permit for new construction or substantial alteration of a structure in a C-3 district, the Zoning Administrator shall mail notice of the application to all owners of property immediately adjacent to the property that is the subject of the application, using for this purpose the names and addresses as shown on the citywide Assessment Roll in the Assessor's Office, and, in addition, shall publish notice at least once in an official newspaper of general circulation.

(d) Notice of Proposed Approval. If, after a review of a building permit application, the Zoning Administrator determines that an application complies with the provisions of this Code and that no exception is sought as provided in subsection (a), and the Director of Planning determines that no additional requirements are warranted as provided in subsection (b), the Zoning Administrator shall provide notice of the proposed approval of the application in the manner set forth in subsection (c) and, in addition, to any person who has requested such notice in writing. If no request for City Planning Commission review pursuant to subsection (f) is made within 10 days of such notice, the Zoning Administrator shall approve the application.

(e) Hearing and Determination of Applications for Exceptions.

(1) Hearing. The City Planning Commission shall hold a public hearing on an application for an exception as provided in subsection (a).

(2) Notice of Hearing. Notice of such hearing shall be mailed not less than 10 days prior to the date of the hearing to the project applicant, to property owners within 300 feet of the project that is the subject of the application using for this purpose the names and addresses as shown on the citywide Assessment Roll in the Assessor's Office, and to any person who has requested such notice. The notice shall state that the written recommendation of the Director of Planning regarding the request for an exception is available for public review at the office of Department of City Planning.

(3) Decision and Appeal. The Commission may, after public hearing and after making appropriate findings, approve, disapprove or approve subject to conditions, the application for an exception. The decision of the City Planning Commission may be appealed to the Board of Permit Appeals within 10 days after the date of the decision pursuant to the procedures for appeals contained in Section 308.2.

(f) Director's Recommendations for Additional Requirements.

(1) Recommendations. If the Director of Planning determines that imposition of additional requirements through the imposition of conditions is warranted as provided in subsection (b), the matter shall be scheduled for hearing before the City Planning Commission; provided, however, that when the Director has determined that conditions should be recommended, the applicant may waive the right to a

hearing before the Commission in writing and agree to the modifications, in which case the Zoning Administrator shall provide notice of such fact according to the notice given for applications governed by subsection (d), so that any person seeking additional modifications may make such a request as provided in subsection (g). If no request is made within 10 days of such notice, the Zoning Administrator shall approve the application subject to the conditions.

(2) Notice. Notice of any meeting of the City Planning Commission pursuant to this subsection shall be mailed to the project applicant, to property owners immediately adjacent to the site of the application using for this purpose the names and addresses as shown on the citywide Assessment Roll in the Assessor's Office, and to any person who has requested such notice. The notice shall state that the Director's written recommendation is available for public review at the Department of City Planning.

(3) Commission Action. The City Planning Commission may, after public hearing and after making appropriate findings, approve, disapprove or approve subject to conditions applications considered pursuant to subsection (b).

(g) Requests for City Planning Commission Review.

(1) Requests. Within 10 days after notice of the proposed approval has been given, as provided in subsection (d), any person may request in writing that the City



Planning Commission impose additional requirements on the project as provided in subsection (b). Said written request shall state why additional requirements should be imposed notwithstanding its compliance with the requirements of this Code and shall identify the policies or objectives that would be promoted by the imposition of conditions.

(2) Commission Consideration. The City Planning Commission shall consider at a public meeting each written request for additional requirements and may, by majority vote, direct that a hearing be conducted to consider such modifications, which hearing may be conducted at the same meeting that the written request is considered and decided. Notice of such meeting shall be mailed to the project applicant, to property owners immediately adjacent to the site of the application using for this purpose the names and addresses as shown on the citywide Assessment Roll in the Assessor's Office, and to any person who has requested such notice. In determining whether to conduct such a hearing, the Commission shall determine whether, based upon a review of the project, reasonable grounds exist justifying a public hearing in order to consider the proposed additional requirements.

(3) Commission Action. If the Commission determines to conduct a hearing to consider the imposition of additional requirements, it may, after such hearing and after making appropriate findings, approve, disapprove, or approve subject to conditions the building or site permit application. If the Commission determines not to conduct a

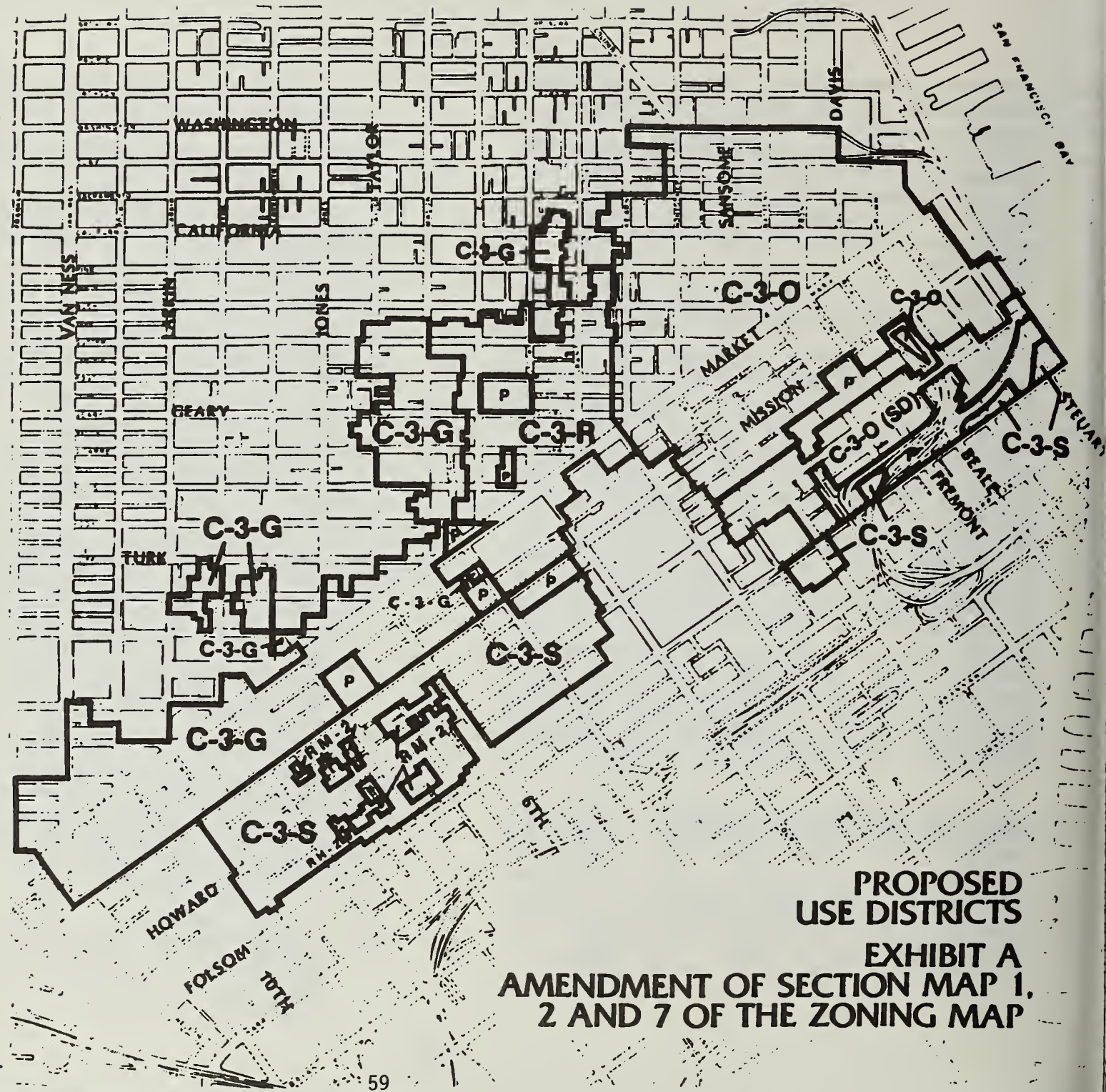
hearing, the Zoning Administrator shall approve the application subject to any conditions imposed by the Director of Planning to which the applicant has consented.

(h) Hearings on Projects over 50,000 Gross Square Feet. The City Planning Commission shall hold a public hearing not otherwise required by this section on all building and site permit applications for projects which will result in a net addition of more than 50,000 gross floor area of space. Notice of such hearing shall be mailed not less than 10 days prior to the date of the hearing to the project applicant, to property owners immediately adjacent to the site of the application using for this purpose the names and addresses as shown on the citywide Assessment Roll in the Assessor's Office, and to any person who has requested such notice.

(i) Imposition of Conditions, General. If pursuant to the provisions of this section, the City Planning Commission determines that conditions should be imposed on the approval of a building or site permit application or an application for exceptions and the applicant agrees to comply, the Commission may approve the application subject to those conditions, and if the applicant refuses to so agree, the Commission may disapprove the application.

When approving a building or site permit application, the Zoning Administrator shall approve it subject to any conditions imposed by the City Planning Commission or the Director of Planning as authorized in this Section.

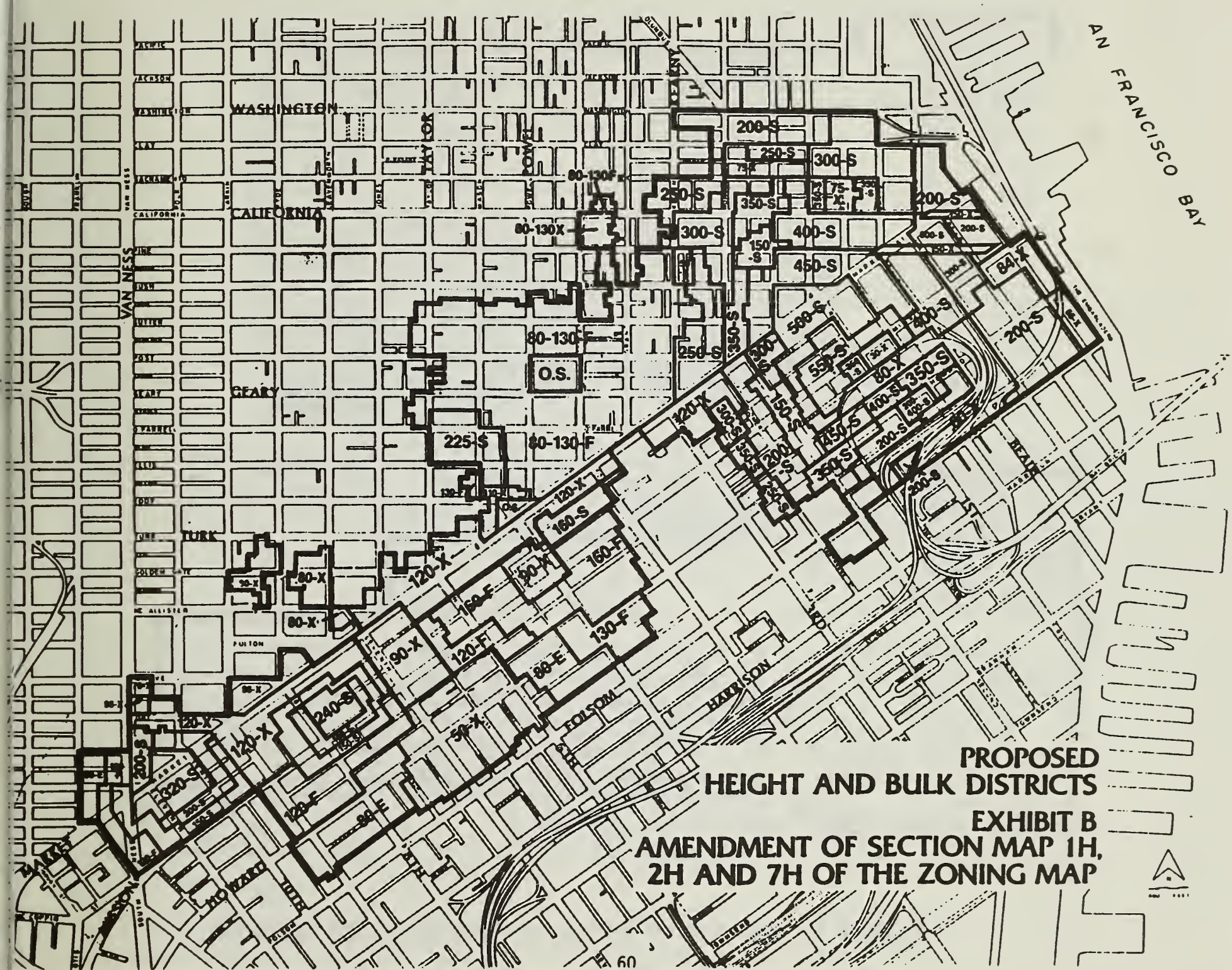
(j) Authorization of a change in any condition previously imposed pursuant to this Section shall require an application for modification which application shall be subject to the procedures set forth in this Section.



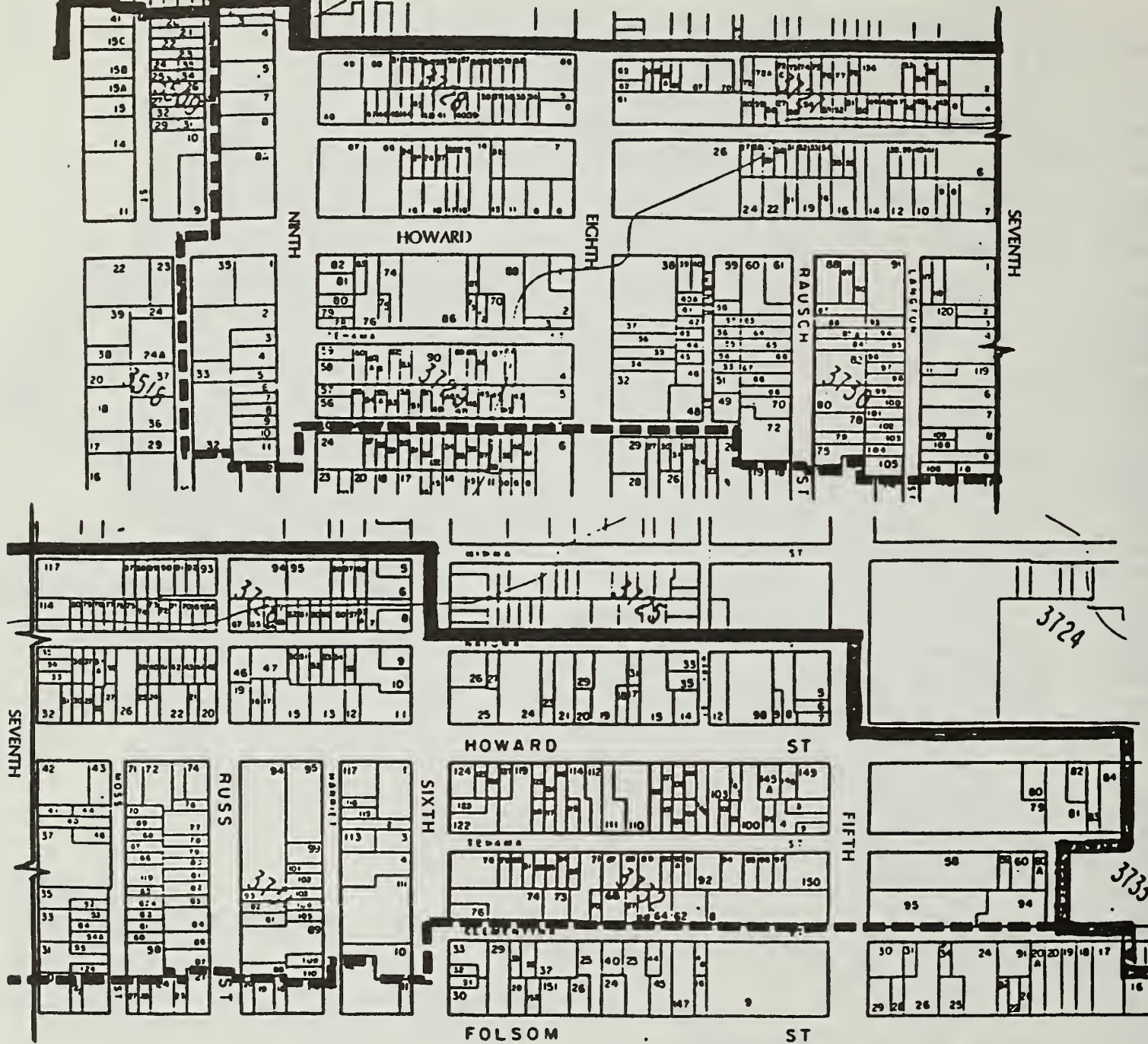
**PROPOSED  
USE DISTRICTS**

**EXHIBIT A  
AMENDMENT OF SECTION MAP 1,  
2 AND 7 OF THE ZONING MAP**









**EXHIBIT C MID-SOUTH OF MARKET SPECIAL USE DISTRICT**



SEC. 2. The boundaries of the C-3 use districts as shown on Section Maps 1, 2 and 7 of the Zoning Map are hereby amended as shown on the Map on file with the Clerk of the Board of Supervisors under File No. \_\_\_\_\_ and as generally shown on Exhibit A, attached hereto.

SEC. 3. The height and bulk districts in the C-3 use districts, as amended, as shown on Section Map 1H, 2H and 7H of the Zoning Map are hereby amended as shown on the Map on file with the Clerk of the Board of Supervisors under File No. \_\_\_\_\_ and as generally shown on Exhibit B, attached hereto.

SEC. 4. The Downtown Office Special Development District (also referred to as the C-3-0(SD) District) with boundaries as shown on Section Map 1 of the Zoning Map as shown on the Map on file with the Clerk of the Board of Supervisors under File No. \_\_\_\_\_ and as generally shown on Exhibit A, attached hereto, is hereby adopted.

SEC. 5. The Mid-South of Market Special Use District with boundaries as shown on Section Map 1SUC on file with the Clerk of the Board of Supervisors under File No. \_\_\_\_\_ and as generally shown on Exhibit C, attached hereto, is hereby adopted.

SEC. 6. SEVERABILITY. It is the intent of this Board of Supervisors that if any part of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or any part thereof. The Board of Supervisors hereby declares that it would have passed all portions of this ordinance irrespective of the face that any one or more portions declared unconstitutional or invalid.

APPROVED AS TO FORM:

GEORGE AGNOST, City Attorney

By Paula Jerson

Deputy City Attorney

2852B







